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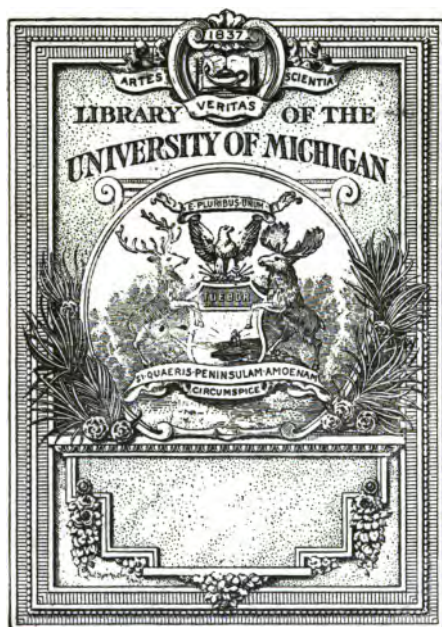
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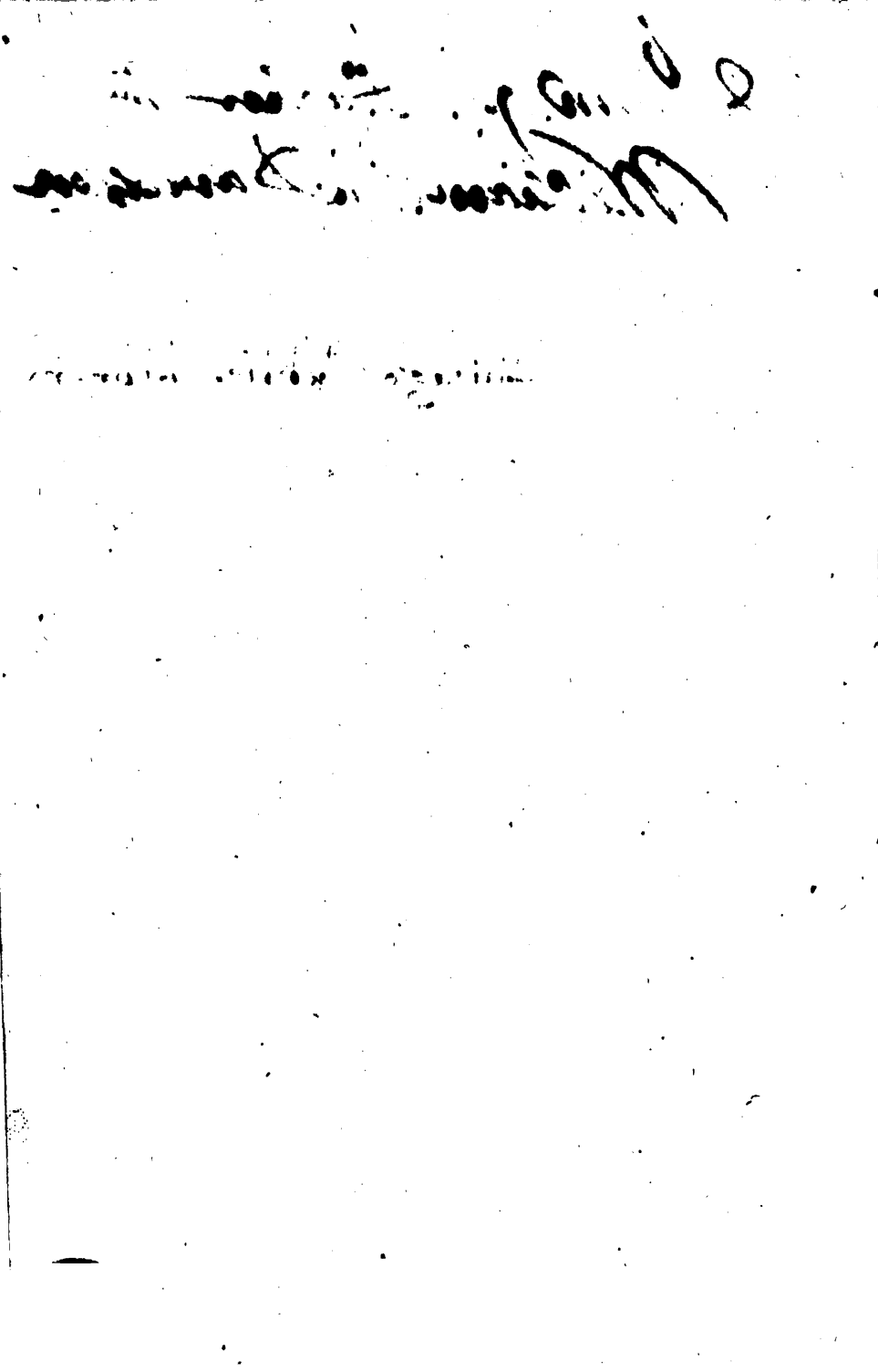
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SENATE

OF THE TENTH GENERAL ASSEMBLY

OF THE

STATE OF ILLINOIS,

AT A SPECIAL SESSION, BEGUN AND HELD IN VANDALIA,

JULY 10, 1837.

VANDALLA, ILL.

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JOURNAL OF THE SENATE.

SPECIAL SESSION.

At a General Assembly of the State of Illinois, began and held at Vandalia, on Monday the tenth day of July, in the year of our Lord one thousand eight hundred and thirty seven, convened by proclamation of the Governor, being the second session of the tenth General Assembly of said State, the Hon. William H. Davidson, Speaker *pro tem.* of the Senate, appeared, took the Chair and called the Senate to order.

WHEREUPON, Jesse B. Thomas, junior, Secretary of the Senate, William G. Flood, Engrossing and Enrolling Clerk, and Daniel Campbell, Sergeant at Arms, appeared and entered upon the discharge of the duties of their respective offices.

The following members appeared, and took their seats, to wit:

*From the county of Sangamon—*Archer G. Herndon.

*From the county of Madison—*Cyrus Edwards.

*From the county of Gallatin—*William J. Gatewood.

*From the counties of Clinton and Marion—*Benjamin Bond.

*From the counties of Vermilion and Champaign—*John W. Vance.

*From the counties of Pope and Johnson—*James A. Whiteside.

*From the counties of Union and Alexander—*John S. Hacker.

*From the county of Schuyler—*George W. P. Maxwell.

*From the counties of Hamilton and Jefferson—*Levin Lane.

*From the county of Edgar—*Lunsford R. Noel.

*From the counties of Greene and Calhoun—*John Allen.

*From the county of Macoupin—*Joseph Borough.

*From the counties of Cook and Will—*Peter Pruyne.

*From the county of Adams—*Orville H. Browning.

From the counties of McLean and Macon—James Allen.

From the county of St. Clair—John Murray.

From the counties of Edwards, Wayne and Wabash—Henry Mills.

From the county of Morgan—William O'Rear, William Weatherford, William Thomas.

From the county of Greene—James Turney.

From the counties of Fayette, Effingham and Clay—Robert K. McLaughlin.

From the counties of Peoria and Putnam—John Hamlin.

From the counties of Warren, Knox and Henry—Peter Butler.

From the county of Tazewell—Benjamin Mitchell.

From the counties of Washington and Perry—John D. Wood.

From the counties of La Salle, Kane and Iroquois—William Stadden.

From the county of Fulton—Samuel Hackelton.

From the counties of Franklin and Jackson—Braxton Parrish.

From the counties of McDonough and Hancock—Thomas H. Owens.

From the county of Shelby—Peter Warren.

On motion of Mr. Maxwell,

Resolved, That the Secretary inform the House of Representatives that the Senate have met, and are ready to proceed to legislative business.

James B. Moore from the counties of Madison, St. Clair, and Monroe, elected to fill the vacancy occasioned by the resignation of the Hon. John D. Whiteside, appeared, presented a certificate of his election in the present General Assembly, was qualified and took his seat.

A message from the House of Representatives, by Mr. Flood, their clerk *pro tem.*

MR. SPEAKER:

I am directed to inform the Senate that the House of Representatives have met and organized, and are ready to proceed to legislative business.

On motion of Mr. Maxwell,

The rule of the Senate requiring resolutions to lie one day on the table was dispensed with, and it was

Resolved, That a joint select committee of two from the Senate and three from the House of Representatives, be appointed to wait on the Governor and inform him that both branches of the legislature have met and are ready to proceed to

legislative business, and to hear any communications he may think proper to make to them.

Ordered, That Messrs. Maxwell and Bond be that committee on the part of the Senate, and that the Secretary inform the House of Representatives of the adoption of said resolution and ask their concurrence therein.

On motion of Mr. Turney,

The rule of the Senate was dispensed with, and it was

Resolved, That the rules adopted by the Senate at the last session be and they are hereby adopted for the government of the Senate during the present session until otherwise ordered.

Resolved, That the joint rules adopted by the two Houses at the last session, be and the same are hereby adopted during the present session.

Ordered, That the Secretary inform the House of Representatives of the resolution last aforesaid, and ask their concurrence therein.

A message from the House of Representatives by Mr. Flood their Clerk *pro tem*.

MR. SPEAKER:

The House of Representatives have concurred in the adoption of the resolution from the Senate, having for its object the appointment of a joint select committee, to wait on the Governor, &c. and have appointed Messrs. Moore of St. Clair, Ewing and Hardin, the committee on their part.

And he withdrew.

Mr. Gatewood, asked and obtained leave to introduce a bill for

"An act further supplemental to an act to establish and maintain a system of Internal Improvements;

Which was read, and

Ordered to a second reading.

Mr. Mitchell asked and obtained leave to introduce a bill for

"An act concerning public roads;"

Which was read, and

Ordered to a second reading.

On motion of Mr. Gatewood,

The rule of the Senate was dispensed with, and the following resolution adopted, viz:

Resolved, That a committee of five be appointed to enquire

into the expediency of changing the terms of holding the courts in the third judicial circuit.

Ordered, That Messrs. Gatewood, Lane, Hacker, Parrish, and Whiteside be that committee.

A message from the House of Representatives, by Mr. Flood, Clerk *pro tem*.

MR. SPEAKER:

The House of Representatives have concurred with the Senate in the adoption of the resolution, having for its object the adoption of the joint rules adopted by the two Houses at the last session during the present session.

And he withdrew.

Mr. Herndon offered for adoption the following resolution:

Resolved, That the rule requiring resolutions to lay one day upon the table before consideration, be and the same is hereby rescinded.

Which lies one day on the table.

On motion,

The Senate adjourned until 2 o'clock, P. M.

2 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

Mr. Bond, from the joint select committee, appointed to wait upon the Governor and inform him that the two Houses have met and organized, and are ready to receive any communication that he may wish to make to them, reported that they had performed that duty, and received for answer that he will deliver a written message to each House on to-morrow at 9 o'clock, A. M.

Richard B. Servant, the Senator from the county of Randolph appeared and took his seat.

Mr. Browning offered for adoption the following resolution, to wit:

Resolved by the Senate, (the House of Representatives concurring herein) That no legislative business shall be acted up-

on during the present session of the General Assembly, except such as may be specially submitted by the Executive,
Which lies one day on the table.

On motion,

The Senate adjourned until to-morrow morning, 9 o'clock

TUESDAY, July 11th, 1837.

The Senate met pursuant to adjournment.

A message from the Governor by Mr. Field, Secretary of State.

MR. SPEAKER:

I am directed by the Governor to lay before the Senate a communication in writing.

And he withdrew.

Whereupon:

Mr. Speaker laid before the Senate the following communication and accompanying documents, viz: ✓

EXECUTIVE DEPARTMENT, }
Vandalia, July 11, 1837. }

To the Senate and House of Representatives:

GENTLEMEN:—In my message at the opening of the last session it was my happiness to congratulate you on the prosperity then so eminently enjoyed by every portion of our beloved country; and from my inmost heart did I rejoice to see the industrious citizen every where reap the rich rewards of his labor. And although even then, I was not without strong apprehensions of an early reverse, I am confident no human forecast could have anticipated, so sudden a calamity as has been brought upon the country by the action of the Federal Government upon its currency. At the time the President of the United States assumed the responsibility of ordering the public moneys to be removed from their legal deposite in the Bank of the United States, for the purpose, as he avowed, of preventing the re-charter of that institution by Congress, there never was a sounder currency, or a more

healthy state of things in any government in the world. To effect this great object, namely, that of destroying the United States Bank, rival institutions were to be created: and it will be remembered that immediately after the removal of the deposits the Government party commenced establishing State Banks, whilst State Legislatures, deluded by the fallacious promise of advantages to be derived from the deposits to be made in these institutions, which were to be fiscal agents of Government, readily fell into the measure. As might have been expected, hundreds of new banks instantly sprung up, their enormous issues of irredeemable paper afforded the inducement of universal extravagant speculation, and gave us what all must now regard a depraved and worthless currency.

Before the public were aware of the ruin which this wild scheme portended, the Executive and a portion of its party seeing their error it would seem, endeavored to escape its consequences by amusing the people with the absurd and impracticable project of an exclusive hard money currency. I say absurd—for as well might the Executive of the United States expect to compel the citizens of the great valley to abandon the use of steam boats and resume the flat bottom and barge in the navigation of its thousand streams and rivers as to force them to give up a sound paper currency, at all times convertible into specie, with all its adaptedness to the purposes of the commerce and business of the country. Before such a scheme can be prosecuted to the results they promised, the intelligence, commerce, liberties and boundaries of all of these United States must be obliterated, and the people yield to the stubborn will and rule of a despot. These *Experiments*, as they have been styled by their authors, may and I believe have had their *political* effect; but they have also had their effect upon the country acknowledged to be full of resources, distinguished for its intelligence, its enterprise, and wonderful prosperity, in reducing it to an almost universal bankruptcy; in prostrating alike its business, its energies, and confidence.

It was in view of the motive which dictated the measure, and in anticipation of some of these results, that I opposed at first, the establishment of the State Bank of Illinois; as I did also last winter, both the increase of its capital and that of the Bank at Shawneetown.

But it is easier sometimes, to trace the causes of evils, than to find out a remedy for them. The enquiry, however, is important and useful, as the discovery of the cause, not unfre-

quently suggests the remedy. That you will have it in your power, to do all demanded by the present exigency, is more than I dare hope. Probably as much as can at present be effected, will be to place our own State in such an attitude, as to parry off the blow, and stay as far as possible, the effects of the crisis upon our interests, until Congress, the only legitimate power under our Constitution, shall regulate the currency, and restore it to its former sound condition and beneficent action.

The connection of the State with the Banks of Illinois, renders an attention to its affairs, a matter of immediate and imperative duty.

By an act to increase the capital stock of certain Banks, &c. approved March 4th, 1837, it is made the duty of the Fund Commissioners, to subscribe two millions of dollars to the State Bank of Illinois, and one million to the stock of the Bank of Illinois at Shawneetown; and by the 11th section of said act, the Bank is made the fiscal agent of the State. One thousand shares of the stock of the State Bank of Illinois were subscribed for by the State, for which \$100,000 of public money was paid in *MARCH* last. The Bank took the loan negotiated last year in New York, of \$100,000, for which it agrees to place a credit in the Bank, to the Canal Fund for \$105,000, including five per cent. premium. It has also agreed to pay the State Bonds for the Wiggins' loan of \$100,000. The Auditor's books show a deposit of State funds now in the Bank of \$388,669 51. The report of the Canal Commissioner, of the 23d of May, shews a deposit of Canal funds in the Branch at Chicago, to the amount of \$285,834 89.

There is \$60,000 of the State funds now on deposit in the Bank at Shawneetown, and the Commissioners of the School Fund, hold a draft from the Treasury of the United States on it for \$16,100, which several sums make the responsibilities of these Banks to the State, amount to \$1,055,604 40. These Banks both having stopped paying their notes in specie in May last, and as by the 25th section of the act, incorporating the State Bank of Illinois,—Approved Feb. 12th, 1835, and by the supplement to said act, Approved January 18th, 1836, it is provided, that if said corporation shall neglect or refuse to pay its notes in specie for sixty days, it forfeits its charter, and is required immediately to discontinue all its operations, except for receiving and collecting its debts; and as it is believed, that while all other Banks refuse, the Banks of no one State,

however solvent, can safely or long continue to pay *specie* for their notes; it will be perceived, at once, that immediate Legislative action is indispensable for the protection and security of those important interests. In the adoption of any measure which your wisdom may suggest, in relation to the Banks, or for the better security of the interests of the State connected with them, care should be taken to require a reduction of their notes in circulation, and prevent any increase of their responsibilities, so as to ensure a resumption of specie payments as early as possible.

It can admit of no doubt, that if the Banks of Illinois, which are known to be as solvent as any other banks in the country, under existing circumstances, were to persist in paying out specie for their notes, the result would be, at no long period, an entire transfer from their own to the vaults of other Banks—the ultimate but sure loss of their capital—the imminent jeopardy of the State funds—and be so crippled, if not crushed in their operations, as to embarrass most seriously, the movements of the community at large; and not less seriously, the improvements, business, and commerce of the State, with all of which it is intimately connected.

For the same important considerations that I opposed the act, requiring the Fund Commissioners to subscribe on behalf of the State for three millions of dollars of the stock of those Banks, to be paid for by the sale of State bonds, I am now satisfied ought to be repealed forthwith, and do accordingly recommend it to be done.

Your attention should also be directed to the Surplus Revenue, the fourth instalment of which becomes due on the 30th day of September next; inasmuch as the Banks in which it was deposited have all stopped specie payments; and your resolution requires the Treasurer to receive it only in specie, which at present is impracticable.

In the midst of the disasters which have already fallen on the commercial world, and which are still threatening us on all sides, a favorable opportunity occurs to escape from the perils of that system of Internal Improvement adopted last winter, which to my apprehension is so fraught with evil: and for the reason assigned when I refused my assent to the enactment passed in its favor, as well as from existing pecuniary troubles and derangements, I now recommend its repeal.—Aware that it is always difficult, and sometimes grievous, at least partially, to abandon even a bad system after the interests of society have become identified with it, it is with reluctance, much more in regard to this fact, than hesitation as to the propriety of the step, that I

urge the recommendation: especially, too, as my conviction is deep and firm that such undertakings belong rather to arbitrary and despotic Governments, than to the republican institutions of a free people, as by the power of patronage and official influence, they tend to corrupt the many and exalt the few. In all the melancholy histories of departed liberty, the process of decay commenced in the people's neglect and disuse of their own rights and privileges, and progressed in the ignorant and fatuous transfer of them to their rulers. And of all the dark symptoms which indicate the evil at work in our own system, none seems so fearful, so alarming, as the steady, nay, rapid departure of power from the hands of the people to the hands of the Government—a fact sufficiently obvious to all who have observed the political movements of the last eight years.

If to the power and influence which necessarily belong to political station there be added the immense patronage no less involved in extended public works, there may come a struggle between the people and their rulers; but too late for the former to regain what the latter have stolen. Let the present pernicious system be rescinded, and in its stead adopt the safer, the more generous, more economical, most expeditious, and in every respect the preferable plan of encouraging private individuals and corporations by suitable aid from the State—and thus escape the intrigue, venality, waste and corruption inherent in that patronage which must grow out of such a system as the present.

A report of the Board of Internal Improvement to the Executive of the 5th June, is herewith enclosed, which exhibits its operations to date. A report and correspondence of the Canal Commissioners are also transmitted. By the correspondence, it will be seen, that the calling of the Legislature together has been urged upon the Executive by them as necessary for the carrying on of that favorite work, and because of the probable difficulty of collecting the 2nd instalment on the lots sold in Chicago, which fell due on the 20th of June last. Having received a letter from the Board informing me they would make a full report to the Legislature of all their operations present and plans for the future, I will leave this subject with an earnest recommendation of it to your fostering care: hoping that this great work will be carried forward with all the expedition, consistent with a just economy. As I consider it a national work, and ourselves as managers of the fund, appropriated by Congress for its accomplishment, it would seem to be our duty faithfully to apply these means; and upon its completion, after a suitable reservation for repairs and improvements, and with due consideration for the rights of the State, it will be equally our duty and interest to make this canal free as the waters of the lake.

Unpleasant as the subject is to myself, and may be to others, I feel bound again to call your attention, and through you that of our constituents, to the affairs of our National Government, especially of

its Executive branch; to the action of which I confidently believe many of the evils we are now suffering, and with which we are threatened, are fairly to be attributed. There must be change there must be reform. The Public Treasury must be again firmly placed in the custody of law; and all power and control over it by the Executive of the United States must be repudiated. The Executive should be prohibited under severe penalties from establishing a rule in violation of law to collect the revenue in one quarter of the country in specie only, and in another to collect in bank paper; or from using any other means for diverting the specie (which is the only safe basis of exchanges) from the ordinary channels of business. Congress must regulate the currency by law, and place it out of Executive or official power, either to try experiments, or make speculations upon it. The patronage of the Executive must be reduced, and his power to remove public officers so modified as to prevent his displacing a faithful and competent man, either to gratify party malice, or to intimidate him in the free and independent exercise of the elective franchise; so, also, as will secure him against Executive tyranny, and all control over his official acts, except such as the law imposes; that his qualifications, fidelity and ability, may be his only hope of retaining office.

That control over the public press and Congress which has been so powerfully exercised by the appointment of newspaper editors and members of the Senate and House of Representatives to high and lucrative offices by the Executive, should as far as possible be obviated. The constitutional and legal right of each or both Houses of Congress to examine into the official conduct of every officer in the Government, should be clearly established, as it is the only efficient check the people have upon their public servants; whilst public expenditures must be reduced and more economy and simplicity in the administration of Government be observed, before we can ever be secure of those inestimable blessings hitherto enjoyed under our constitution and excellent form of Government. I pray gentlemen, that the State may experience the full measure of your patriotism. Never was wisdom from above to direct your counsels, more to be implored than at this moment. Party spirit in its mildest form has ever been found an enemy to liberty and sound legislation: but when it is the offspring of ambition and avarice, directed by designing bad men in high places, it begets a blind devotion and infuriated zeal, which shuts the door against all reason, justice and patriotism. May God in his infinite wisdom and mercy avert such an evil from this country, and that justice and the laws may prevail, and that every man in this broad land may sit down again with confidence under the shadow of the constitution in the peaceable and quiet enjoyment of his rights and privileges. No power must be allowed to exist in this country superior to that of the people, or that does not acknowledge the supreme and inflexible

authority of the law as the rule of action both for the President and every other functionary of the Government.

With great respect, your obd't servant,

JOSEPH DUNCAN.

DOCUMENTS ACCOMPANYING THE GOVERNOR'S MESSAGE.

Semi-annual Report of the Board of Public Works.

STATE OF ILLINOIS,
Vandalia, June 5, 1837. }

To Joseph Duncan, Governor of the State of Illinois:

SIR:—The undersigned, Commissioners of the Board of Public Works, in obedience to the law of the last session, entitled "An act to establish and maintain a general system of Internal Improvements," have the honor to lay before the Governor a report of the proceedings had by them, under the provisions of the said act. At their first meeting in April last, the board was organized by the unanimous choice of William Kinney, Commissioner of the second Judicial Circuit, as President of the Board, and by the appointment of George W. Caruthers as Secretary.

The several proceedings of the board in the adoption and organization of a plan for the conducting of the system of improvements upon the comprehensive scale contemplated by the bill, and extending over so many different portions of our State, will accompany this report. The plan adopted by the Board was the best that could be devised by it, and although it is not without its objections, it is believed that no better system could conveniently have been presented for the purpose, if the number and extent of the works to be surveyed and prosecuted shall be properly considered.

The short period which has elapsed since the organization of the board, and the difficulty which presented itself in the outset, of obtaining competent engineers, and the necessary instruments for their use will in some degree account for a want of interest in the present report.

Soon after the adjournment of the Legislature, James Bucklin, Esq. by the private aid of some of our citizens, who

felt an interest in the progress of the system, was employed to proceed to some of the eastern cities for the purpose of procuring the necessary instruments for four engineering parties, and since his return the surveys of several of the roads, directed by the act, have been commenced.

The Northern Cross Rail-road, and the road from Mt. Carmel to Alton, and also the Central Rail-road, at two different points, have already been placed under survey. It was the intention of the board to have placed an additional engineer upon the Central Rail-road at its northern termination; but, contrary to the promises which were held out to the board at its first meeting, it is found, upon making inquiry at the office of Secretary of State, that the relinquishment of the charter granted to the corporation of the Central Rail-road Company has not been filed, consequently it becomes the duty of the board to cease all future operations upon this important improvement. The delay which has occurred in the relinquishment of this charter, renders it somewhat doubtful whether any such relinquishment will be made, which must of course be the occasion of regret to all those who desire the prosperity of the State, and who wish to witness a developement of its resources, since it is evident that a work of the magnitude of the road under consideration, could not, under the present aspect of affairs, be prosecuted with any reasonable certainty of a speedy completion by the means of a private company.

The prosperity of a large portion of our State is intimately blended with this work, which was designed to be a great artery for the distribution and extension of all those important benefits which result from a continuous and easy line of communication from the extremities of the State, and it is therefore with regret that the undersigned feel constrained to divert that attention from this work which they were equally urged by inclination and duty to bestow upon it.

The board has also been embarrassed in its proceedings from the delay which has transpired in the relinquishment of other charters, and this delay will be more severely injurious as the surveys proceed, since it may be necessary to retain engineers in the employ of the State, to await the tardy action of those interested in the respective charters.—In the number of these the board would include the Alton and Shawneetown Rail-road. It would seem that some of the inhabitants interested in this road are exceedingly eager

to witness a survey of it, and complain of a want of diligence and attention on the part of the board, while it was impossible for the board to proceed until the stockholders should have relinquished their charter.

There are already five engineering parties in the field actively employed, and it is confidently expected that there will be six additional parties soon in active operation, which will, in the course of the present season, enable the undersigned to complete the surveys of a great proportion, if not of all the Rail-roads provided for in the law. Every exertion will be made to proceed with the survey of all the roads, with a due regard to utility and economy; and since it was impossible ever to close the survey of any of the roads, unless a commencement should be made upon some of them, and since no particular preference to any could be given, without incurring censure from the persons interested in the prosecution of other roads, the undersigned commenced upon such of them, as from their importance, coupled with the extent and greater facilities for a speedy commencement upon them, would in their estimation best advance the general interest of the State.

It is the intention of the board to proceed as speedily as a prudent regard to circumstances will permit, in the survey of the roads and rivers, and they will, in all probability, have portions of all of them ready to be placed under contract as soon as (if not before) the Fund Commissioners will have provided sufficient means for that purpose.

The pecuniary distress which prevails in the older States, and the present inauspicious prospect before them, will doubtless induce a large number of emigrants to seek a home in this State, so fertile in soil, so salubrious in climate, and holding out to the industrious and enterprising the most encouraging promises of happiness and prosperity.

The certainty that we shall have a large and valuable accession to our population is strengthened, from the knowledge that our State is unembarrassed, and that loans will in due time be effected to prosecute our several works of improvement: the employment which these will afford, with the stimulus which they will necessarily give to agricultural industry, will be a sure means of advancing the prosperity of all classes of our citizens, and consequently of placing our State upon that eminence among her sisters of the Union which her many superior advantages entitle her to claim.

The embarrassment which is felt in most of the Eastern and Southern States has not yet been visited upon this State. The limited banking capital of our State has prevented an accumulation of indebtedness. The value of our lands has heretofore induced large investments of eastern capital, which has generally resulted for the benefit of our citizens, and there has been comparatively but little overtrading in our commercial community, consequently that despondency which is hanging over other states is not seriously felt in this—therefore we may reasonably gather confidence that if our several public works shall be prosecuted with zeal, that the evils which are now mourned over in the older states, will work to our good, and produce permanent and salutary benefit to Illinois; and though we may lament the mischief and ruin we could not avert, we are not to be censured if circumstances render it necessary, that we should profit by the distress of others.

Owing to the recent organization of the several engineering parties, and to the incomplete arrangements of those about to take the field, and to their remoteness from the respective Commissioners, the Board regret that they cannot show specifically, the amount expended by the different members of the Board, up to the present date; but before their next semi-annual report, such an organization will have been made as will render it more easy to comply with the requisitions of the law in this behalf. As nearly as can be ascertained from the reports of the respective Commissioners, up to the period that they left their respective circuits to attend the present meeting, the entire amount expended did not exceed seven thousand dollars; but the expenditures for the ensuing months, including camp equipage and equipments, and the compensation of additional engineers and their parties will necessarily exceed that of the past. Notwithstanding which from the information obtained from the Fund Commissioners, the Board of Public Works is confident that with due regard to economy sufficient means will be provided to ensure a successful prosecution of the several improvements contemplated by law, and so ardently desired by the people.

WILLIAM KINNEY,
M. McCONNEL,
ELIJAH WILLARD,
M. K. ALEXANDER,
J. WRIGHT,
E. PECK.

The following are the Rules and Ordinances adopted by the Board of Public Works:—

SEC. 1. *Be it ordained by the Board of Commissioners of Public Works of the State of Illinois,* That there shall be established at the seat of Government a General Office, to be styled the Central Internal Improvement Office of the State of Illinois.

2. The Secretary of the Board shall receive a salary of one thousand dollars per annum, to be paid quarterly out of the Internal Improvement fund.

3. Said Secretary shall attend all meetings of the Board, and shall keep a journal of all the proceedings thereof while in session, and shall record the same in a book called the Journal, in the order in which the same occurred, including the resolutions offered, and propositions made, by each member of the Board, together with the vote of each member upon each question, which shall always be by *viva voce*, when requested by any one member of the Board, which Journal shall at all times be open for inspection, as provided by law.

4. It shall be the duty of said Secretary to receive and file, and, if necessary, record all returns from the clerks of the District Offices, or from any of the Acting Commissioners of the Board, together with all plans, profiles, reports, estimates, specifications, and other documents, transmitted or delivered to said office, by any engineer of any district in the employ of the Commissioners, all of which shall be open for the inspection of all persons interested, in the presence of said Secretary.

5. Said Secretary shall do and perform all other acts required of him by law, or by the orders of the Board of Public Works, made while in session, or that may be directed by the President of the Board during vacation. All proceedings of the Board shall be signed by the President.

6. That each Commissioner of the Board of Public Works shall be Acting Commissioner, and shall have the control, direction, and management, of all the different parts of the Public Works as lie within the respective circuits in which they were elected, and shall have upon all and each of said public works all the powers given by law to the Board of Public Works over all the Internal Improvements of the State.

7. They, and each of them, shall be furnished by this Board with the amount of money necessary to carry on the surveying, location, estimates, and construction, of all and each of said works, and also for the building of offices, shops, warehouses, and other necessary buildings, and for salaries of officers, engineers, agents, and all other persons employed upon said works, in each of the said districts, and for all necessary expenses touching said works.

8. Copies of all drafts payable to the Acting Commissioner shall be filed and recorded in the District Office in the district in which said Commissioner shall reside, and when said draft or drafts shall be paid, the receipt of said money shall be entered in the proper books of said office, and copies of said drafts, and of the accounts of cash received by each Commissioner, shall be transmitted to the Secretary of the Board at the Central Office, and there filed and entered on record in a book to be kept for that purpose.

9. For the better enabling the President of the Board to furnish the Acting Commissioners with the necessary funds, in pursuance of the foregoing provisions, it shall be the duty of the President to cause to be printed a sufficient number of drafts upon the Board of Fund Commissioners, in which drafts the following blanks shall be left to be filled up by the Acting Commissioner, when it may become necessary to use said drafts, to wit: The date and place where drawn; the Commissioner to whom payable; the amount to be drawn for; the particular work to which said amount thus drawn for is to be applied; and the number of the draft. And it shall be the duty of the President to number and sign, in his official capacity, and to deliver to each of said Acting Commissioners, a sufficient number of said drafts to enable said Commissioner to obtain from the Board of Fund Commissioners whatever sums of money may be necessary to carry on the improvements under his particular charge, which drafts shall be charged by their numbers to the Acting Commissioner to whom delivered.

10. Whenever it may become necessary for any Acting Commissioner to draw for, pay out, or use, any sum of money not properly chargeable to any particular work, (such as the salaries of officers, engineers, agents, and other persons employed upon and for all the internal improvements of the State, and not for any particular one) said Commissioner shall fill up said drafts to be charged to the particular object to which said money is

to be applied, and said draft when paid, and the money applied to the object for which the same was drawn, shall be charged by the Secretary of the district office to the general expenditure.

11. Monthly returns shall be made to the secretary of the Board at the central office by the acting commissioners and the clerks of the district offices, and also to the fund commissioners, of all money expended upon each work, and for all other purposes whatever; and the secretary of the board shall cause to be kept in well bound books, a fair and complete record, according to the ninth section of the "Act establishing a General System of Internal Improvement," and the accounts of money expended shall be made up from the returns aforesaid, and such other vouchers as may be furnished by the board from time to time, all of which shall be subject to inspection according to law.

RULES and ORDINANCES dividing the State into Engineering Districts, and organizing the District Offices.

SEC. 1. *Be it ordained by the Board of Commissioners of Public Works,* That the State of Illinois shall be divided into four districts for engineering purposes, to be called Internal Improvement Districts.

2. *Resolved further,* That all that part of the State of Illinois lying north of a line commencing at the mouth of the Illinois river, on the west side, thence up along the margin of the river at low water mark, to a point opposite the mouth of the Sangamon river, thence across the Illinois river and up on the margin of said river as aforesaid, to the north side of Tazewell county, thence east on a line dividing the county of Tazewell from the county of Putnam, and then due east to the east side of the State of Illinois, shall compose the northern district.

3. That all that part of the State of Illinois situated within the following boundaries to wit: beginning at a point where the central rail road crosses the north line of McLean county, thence east to the State line, thence south on said line to the Wabash river, thence down said river to the south side of the county of Crawford, thence westwardly to the town of Van-

dalía, thence north on the line of the central rail-road, including the same, to the north fork of Sangamon river, thence north on the line of said road excluding the same to the place of beginning, shall compose the eastern district.

4. That all that part of the State of Illinois situated within the following boundaries to wit: beginning at the mouth of the Illinois river, from thence down the Mississippi to the centre of the town of lower Alton, thence east to Vandalia, thence north on the line of the central rail-road, excluding the same, to the north fork of the Sangamon river, thence north on the line of said rail-road including the same, to the north line of McLean county, thence west to the east bank of the Illinois river, thence down the east shore of said river at low water mark to the mouth of the Sangamon river, thence across said river and down on the west side of the same to the place of beginning, shall compose the western district.

5. That all that part of the State of Illinois situated south of the eastern and western districts, shall compose the southern district.

6. There shall be one principal engineer appointed in each of said districts, by the board of public works, or by the acting commissioner or commissioners of said districts, whose duty it shall be to make or superintend the making of all surveys and estimates of all and each of the public works in his district, under the direction of the acting commissioners of the board, to whose charge the work is committed, by order of the Board of public works. Said chief engineer shall receive a competent salary not exceeding three thousand dollars per annum.

7. The acting commissioner of each judicial circuit shall be authorised to employ as many assistant engineers and surveyors and other assistants, from time to time, as to said commissioners may seem necessary to facilitate and forward the different works under his charge.

8. The survey and estimates of said assistants engineers shall pass under the supervision of the principal engineer of the district, before the same is let to contractors: said assistant engineers shall receive a compensation not exceeding two thousand dollars per annum.

9. There shall be established in each of said districts an office to be styled the District Office for Engineering Purposes.

10. The principal and all assistant engineers shall at all

times obey the instructions and rules adopted by the board of public works, and shall be under the control of the acting commissioner of the circuit in which he or they may be engaged for the time being.

11. Copies of all plats, releases, conveyances, drafts, reports, estimates and surveys, shall be kept at said offices.

12. All bids shall be received and examined, and all contracts let at said office, or at such other places as the acting commissioner may deem expedient. Copies of all bids and copies of the contracts furnished to the acting commissioners of the respective circuits upon the works within the districts, shall be filed and recorded in said office by the Secretary of the board, according to the sixteenth section of the "act to establish and maintain a general system of internal improvements." All moneys to be paid to officers, agents, engineers, contractors and other persons, shall be made payable at said office, at such other place or places as may seem expedient. Copies of all estimates made during the progress of the different works, shall be filed and recorded in said office, together with all other documents and proceedings that may be directed to be filed, kept or recorded in said offices, necessary to a fair, full and perfect understanding of the progress of the different works within the respective districts, and the rights of all parties connected therewith.

13. There shall be appointed to take charge of each of said offices a principal clerk, to be styled the Clerk of the District Offices, whose duty it shall be to furnish well bound books in which to make all records necessary and proper to be made at said office. He shall open an account with each work situated within or passing through the districts, in which he shall charge all moneys paid out, upon or for the construction of said improvements, and shall credit each of said works with all tolls or other money received from or arising out of the use of the same; said clerk shall also keep a general account of all money paid out by the acting commissioner or commissioners within the district, not properly chargeable to any one work or improvement, and to keep all other accounts, and to make all records necessary to be made, and that may be directed by the board, or by the acting commissioner or commissioners having charge of the works passing through said district; and it shall be the duty of said commissioners and each of them, to cause to be kept in said office, an account of all money by them or either of them, received from the fund

commissioners for the use of the system of internal improvements, and to furnish to said clerk of the proper district all information necessary to enable him to perform the several duties enjoined upon him by this ordinance or by the board of public works.

All records, files and other documents, shall be open for the inspection of all persons concerned therein, during office hours and in the presence of said clerk, and under such rules and regulations as may be adopted by the acting commissioner or commissioners of the circuits or parts of circuits composing said district.

14. Said clerks shall be appointed by the acting commissioner or commissioners resident in the district, and shall hold their offices during the pleasure of the commissioner or commissioners aforesaid, and until their successors shall be duly appointed, and shall receive a salary not exceeding one thousand dollars per annum.

15. Said offices shall be located at such places as the acting commissioner or commissioners in the district may see proper, under the advice of the board.

16. The acting commissioners of the 1st, 4th, and 5th judicial circuits, and each of them are hereby authorised to receive proposals, and put under contract all or any part of the cross rail road from Quincy to the east line of the State, according to the 53d, 54th and 55th sections of the act to establish a general system of Internal Improvements, at any time hereafter, so soon as the same, or any part thereof, can be located; *Provided* the whole average cost of said road, and all necessary expenses connected therewith, shall not exceed the sum appropriated by law for said work; which contracts, when made, shall be executed according to the 16th section of said act, for and on the part and behalf of this board of public works; and the same, when so made, shall be binding upon the State of Illinois, and upon the person or persons, company or companies, taking said contract; *and provided further* that the six per cent interest mentioned in the 54th section of said act shall not be paid, except from the time the said money shall be expended upon said work.

On motion of Mr. Alexander,

Ordered, by the Board of Public Works, that the acting commissioner of the 4th Judicial Circuit be authorised to call on the principal engineer of the southern district at the proper time, to have surveys and estimates made on the great

western mail route, leading from Vincennes, Indiana, to St. Louis, Mo., so far as the same lies in said district, preparatory to letting contracts on the same.

On motion of Mr. M'Connel.

Ordered, That the acting commissioner of the 1st Judicial District have the control and management of all the improvements of the navigation of the Illinois river, below the mouth of Sangamon, and that the improvements of the navigation of said river, above the mouth of Sangamon river, shall be under the control and management of the acting commissioners of the 5th, 6th, and 7th Judicial Circuits.

Resolved, That two and one half per cent upon the sums appropriated for the construction of the several rail roads, provided for by the act "to establish and maintain a general system of Internal Improvements," approved 23d of Feb. 1837, will probably be required to meet the expenditures in the prosecution thereof, before the first day of September next, and that the fund commissioners be notified thereof.

2. That the sum of one hundred and twenty-five thousand dollars will probably be required to be expended before the first day of September next, on the great western mail route leading from Vincennes to St. Louis, under the provisions of the aforesaid act, and that the fund commissioners be notified thereof.

3. That five per cent. upon the sums appropriated for the improvement of the several rivers, under the aforesaid act, will probably be required to be expended upon the surveys of said rivers, before the first day of September next, and also, that fifty thousand dollars, appropriated for the improvement of the Great Wabash river, will probably be required, before the said first day of September next, to be expended upon the said river, and that the fund commissioners be notified thereof.

**QUARTERLY REPORT OF THE CANAL BOARD
TO THE GOVERNOR, MAY 8, 1837; ENCLOSING
SUNDRY DOCUMENTS.**

(No. 1.)

To His Excellency, Jos. Duncan, Governor of the State of Illinois:
SIR: The present Board of Commissioners of the Illinois and

Michigan Canal having been organised subsequent to the first day of March last, the quarterly report required by law, could not be made on that day.

The board deem it proper however, to apprise your Excellency of all the material proceedings in reference to the Canal, from the date of the annual report of the late Commissioners, to the first of March inclusive, and submit the enclosed documents for that purpose.

With great respect,

Your Excellency's obd't serv'ts,

W. F. THORNTON,
J. A. McCLERNAND,
JACOB FRY,

Commissioners of the Illinois and Michigan Canal
Chicago, May 8th, 1837.

Treasurer's Office, Illinois and Michigan Canal.

CHICAGO, May 4th, 1837.

To the Board of Canal Commissioners of the Illinois and Michigan Canal:

GENTLEMEN:—The impossibility of a strict compliance with the forty-second section of an act for the construction of the Illinois and Michigan Canal requiring quarterly reports from the Board of Canal Commissioners to the Governor will appear from reference to the date of the organization of the present board.

At the time when this report became due, the first Monday of March ult. the Acting Board had no official existence; hence this delay of, and the employment of this the earliest subsequent opportunity of presenting you with the subjoined manifest of the accounts and condition of the department in my charge as I found them at the close of the last quarter.

The available funds in deposit in the Chicago branch bank at the end of the last quarter, as appears from a comparison of the accounts of this department, with the report of the cashier of said bank of the 29th of April ult., made under the 14th section of the act referred to, amounted to \$297,081 53. This sum with the \$500,000 loan to be negotiated by the Governor, under the authority of the act of the session of the Legislature of '35 and '36, and the further sum of \$385,591 39, the amount of the second instalment for lots sold in the city of Chicago

and town of Ottawa are all the sources relied upon for means for the current year's operation. If these sums shall be realized in due time it is supposed that the fund for this year will be ample; if not, the result is to be ascertained.

Yours, gentlemen,

With much respect,

JOHN A. McCLERNAND,

Treasurer of the Illinois and Michigan Canal.

To the Hon. the Board of Canal Commissioners.

Dr. ILLINOIS & MICHIGAN CANAL, in account with

1836. Dec. 14,	To check in favor of J. Manning,	3,000 00
" 31,	Amount paid on account of contracts,	6,716 71
	Balance to credit of Treasurer, in Chicago Branch Bank, on the 1st March, 1837,	297,081 53
		<u>\$306,798 24</u>

Notes of Hand in hand of Treasurer, - - \$1,032,834 75

CHICAGO, May 1st, 1837.

Dr. JOEL MANNING, Secretary and Disbursing Officer of

1836. Dec. 14,	This sum received of the Treasurer, by his check on the Chicago Branch, to be disbursed as part of the Contingent Fund of the Illinois and Michigan Canal,	3,000 00
		<u>\$3,000 00</u>

I, JOEL MANNING, Secretary and Disbursing Officer of the of disbursements from the contingent fund of the Illinois and to the first Monday of March, 1837.

CHICAGO, 2d May, 1837.

*the TREASURER of the Illinois & Michigan Canal.**Cr.*

1836. Dec. 5,	By balance to credit of Treasurer, in the Chicago Branch Bank, on the 5th December, 1836,	306,798 24
		<hr/> \$306,798 24

JOHN A. McCLERNAND,
Treasurer of Illinois & Michigan Canal.

*Contingent Fund, in acct. with Treas. Ill. & Mich. Canal.**Cr.*

1836. Dec. 5,	By balance due the Secretary at this date, as per account examined and allowed,	298 69
" 11	Incidental Expenses, -	158 86
	Canal Towns, -	61 40
	Canal Office, -	200 95
1837. Dec. 23	Engineering, -	47 98
Jan. 2	W. B. Archer, disbursing officer,	44 58
" 6	Engineering, -	376 15
" 6	Canal Office, -	107 69
" 7	Canal Towns, -	538 68
	Balance in hands of Secretary,	1,164 96
		<hr/> \$3,000 00

Contingent Fund, do certify that the above is a true account Michigan Canal, from the first Monday of December, 1836,

J. MANNING, *Secretary*
to the Board of Commissioners of Illinois & Michigan Canal

*Quarterly Report of the Canal Board to the Governor, May 8th
1837, enclosing sundry documents.*

CANAL OFFICE, CHICAGO, May 8th, 1837.

To the Board of Commissioners of the Illinois and Michigan Canal.

GENTLEMEN:—Since my report to the Board in December last, no new developments have been made, which have induced me to change the opinion that I then entertained, of the general character of the work on the line of the Illinois and Michigan Canal. The progress made during the winter on many of the jobs, shows conclusively that even during the most inclement season of the year operations may be successfully carried on. The heavy embankments on a portion of the western division, have proved peculiarly favorable to winter work.

On the summit division, the unusually high floods of the Des Plaines have caused some delay. Not anticipating so great a rise of water, the contractors had not enclosed their work by suitable embankments, and operations were consequently for a time entirely suspended, but a recurrence to such delay may be in future avoided, and the excavation of rock continued during the cold of winter and the floods of spring without interruption.

The amount of work done on the summit division from the 1st to the 31st December last is - - - \$3,360 00

On the western division, - - - 4,542 01

7,902 01

From that time to the first of March, no estimates were taken.

There is still a great want of laborers, and the work cannot be vigorously prosecuted until they can be obtained. Their number is however rapidly increasing, and when the encouragement they receive on this Canal shall be fully understood abroad, there can be little doubt that they will wend their way thither.

The contractors on the deep rock cutting are beginning to adopt rail roads and cranes to remove the rock, which so far as they have been tested, answer the purpose admirably. Machinery may unquestionably be put in operation to effect this object, which will save a vast amount of animal labor.

Very respectively, your obedient servant,

WM. GOODING,

Chief Engineer of Illinois and Mich. Canal.

(No. 2.)

Letter from the Treasurer of the Canal Board to the Governor, 22d May, 1837, in relation to the Canal funds.

CHICAGO, ILLINOIS, May 22, 1837.

Gov. DUNCAN:

DEAR SIR—You are apprised that the 38th section of the Canal law of '36, devolves upon you the direction of the deposite "in some bank," of "all moneys paid to the treasurer, for the purchase of any canal lands or lots. Under the sanction of the same law, town lots being a part of the canal lands, have been sold, an instalment of the credit upon which will soon fall due. Now it is desired by the board that you should, (in pursuance of the law,) specially instruct the treasurer of the canal fund, as to the bank or banks, in which he shall deposite the avails of the approaching instalment.

It has been deemed expedient to solicit and obtain your direction in the premises, in advance of the period when the instalment shall fall due; first, that the moneys received may realize the safety of lawful deposite, and second, that the treasurer may avail himself of the agency of the bank in its collection. In conjunction with this, your views would be esteemed in respect to the deposite or the continuation of the deposite of the canal funds, now in the Chicago branch bank.

Information in relation to these subjects is sought for, because of the difficulty that is likely to accrue to the State in the receipt and disbursement of the canal fund, through the agency of the branch bank at this place, in view of the bank failures that have taken and are likely to take place.

The usage of the treasury has been to receive of the Chicago branch bank, certificates of deposite from the debtors of the canal fund, in discharge of their indebtedness. Whether the branch has heretofore given certificates of deposite of less qualified character than those she now proposes, I do not know, but certain it is, contemplating the crisis that seems to be lowering in the monetary concerns of the country, that it would be unsafe to receive *such* as would oblige the State to the receipt of *any kind* of bank notes receivable at the branch. These are the terms upon which this branch seems to be willing to receive the canal deposites.

This arrangement in the probable event of the depreciation of the circulating notes of the various banks of the country, would be likely to produce one of three results: loss to the

State in the nominal increase of the payments to contractors, else expensive litigation for specie payments or the total suspension of work for the time, all of which are consequences to be averted if possible.

On the other hand, if the branch in order to fortify herself against the effect of specie payments upon the checks of the treasurer, were to limit herself to the receipt of specie alone, or the paper of Banks of this State in discharge of the credits of the canal fund, she would be unable to turn the deposits under circumstances so restrictive, to any valuable account, and consequently would feel no motive to receive them.

The adjustment of an arrangement upon some equitable basis is much desired, as individual interests are to suffer, if they shall be limited to the payment of specie in the discharge of their notes, the safety of the branch jeopardised by liability to specie payments upon the treasurer's checks without corresponding fortification in an equivalent receipt of the precious coins, and lastly, the interests of the State and the success of the canal are to be exposed to great danger by too latitudinarian a policy in the indiscriminate receipt of all kinds of paper.

The kind of money that shall be received is a point determinable by the treasurer, but the deposit of the same after received; together with the incident terms of deposit and disbursement, are matters to be negotiated by the governor, so that the solvency of the fund and the progress of the work so far as the *media* of disbursement is concerned, depends essentially upon the terms of the *deposit*.

In view of the derangement of money matters that is likely to ensue, and the consequent risk that in that event is to be encountered by the canal fund, I have been requested by the board to invite your presence and personal attention in conjunction with that of the board, to these subjects at this place; and this privilege they have assumed under the sanction of your letter to the board of canal commissioners bearing date January 15th, 1836, tendering your co-operation and council in all matters relating to the canal. If, however, it should be impracticable for you to give your presence to this subject at this place, (which we hope may not be the case,) we would suggest that you meet Col. Mather at Springfield as early as possible, with the view to an arrangement with him in respect to the subject.

We are very anxious to hear from you in relation to these

concerns, before the time shall arrive when the June instalment shall fall due, and the board in consequence will be compelled to adopt a rule in the receipt of its avails.

I am sir,

With great respect,

Your obedient servant,

JOHN A. McCLERNAND,

Treasurer.

(No. 3.)

Resolution of the Board of Canal Commissioners on the 24th May, 1837, in relation to the deposits of the Canal funds.

CHICAGO, Wednesday, May 24th, 1837.

The Board met pursuant to adjournment.

Present, Wm. F. Thornton, President. John A. McClernand, Treasurer, and Jacob Fry, Acting Commissioner.

Resolved by the Board of Canal Commissioners, That the Acting Commissioner and Treasurer proceed without delay to Vandalia or such place at which the Governor of this State may be to obtain from him his special direction relative to the deposite for safe keeping of all the moneys that now are placed or hereafter may be received to the credit of the Canal Fund, and to confer with him generally upon the subject of the finances of the Canal Fund.

WM. F. THORNTON, *President.*

I, JOEL MANNING, Secretary to the Board of Canal Commissioners, do hereby certify that the above is a true copy from the record of the proceedings of the said Board, now remaining in this office.



Given under my hand and private seal (no official seal being provided) at the Canal Office, Chicago, this 24th day of May, 1837.

J. MANNING, *Secretary.*

(No. 4.)

Letter from the Treasurer and Acting Commissioner of the Canal to the Governor, 28th May, 1837, in relation to Canal Funds.

Miller's Hotel, Jacksonville, Illinois, }
May 28th, 1837. }

GOV. DUNCAN:

Sir—It will be seen from the accompanying resolution of the Board of Commissioners of the "Illinois and Michigan Canal" that it is made the duty of the undersigned, in the characters described in the same, to wait upon your Excellency for the purpose therein named, viz: To get your special directions as to the deposit or the continuation of the deposit of the moneys now standing to the credit of the Canal Fund in the Chicago Branch Bank—also like directions as to the Bank or Banks in which the anticipated avails of the approaching June instalment shall be deposited for safe keeping, when realized.

The "directions" invited as well as the objects sought to be accomplished will be fully understood and appreciated by your Excellency, under the light of the accompanying resolution, and the communication of the Treasurer of the Board of School Commissioners, bearing date of the 22d inst., addressed to you by authority of the Board as coincident to the terms of the deposits spoken of by the Treasurer in his said communication and to which he called your attention. The undersigned would hear with much gratification as well as profit, no doubt, your Excellency's views in relation to the kind of money that should be received in extinguishment of the dues of the Canal Fund.

We herewith, also enclose the report of the Branch Bank at Chicago of the date of the 23d inst., indicating her state and condition up to that time, also a statement of the Treasurer of the Board of the balance in favor of the Canal Funds at the same date, in said branch, that your Excellency might possess yourself of all the information at our command having a legitimate bearing upon the subject referred to.

After your Excellency shall have satisfied yourself in relation to the facts made apparent by these two documents, they would be glad, however, to receive them again in accompaniment of your Excellency's anticipated answer.

To these points of enquiry the undersigned would limit

themselves for the present, as being the more urgent and legitimate object of their mission, inviting only, your Excellency's answer to these, at your pleasure.

To-morrow, perhaps, we would avail ourselves of the opportunity presented, of communicating with you as enjoined by the resolution of instruction upon the subject of the general interests of the finances of the Canal Fund.

We are, with great respect,

Your Excellency's most ob't serv'ts,

JNO. A. McCLERNAND,

Treasurer Illinois and Michigan Canal.

JACOB FRY,

Acting Commissioner, Illinois and Michigan Canal.

(No. 5.)

Letter from the Governor to the Treasurer and Acting Commissioner of the Canal, 29th May, 1837, in relation to the Canal funds.

ELM GROVE, 29th May, 1839.

GENTLEMEN—Your communication from Miller's Hotel, of the 29th, enclosing a resolution of the Board of Canal Commissioners of the 24th inst., a report of the condition of the Branch of the State Bank of Illinois at Chicago, on the 23d, and the Treasurer of the Canal Boards report of the balance in the Branch Bank at Chicago on the 24th inst., together with a letter from the Treasurer of the Canal on the same subject, dated at Chicago, 22d inst., were all received yesterday and last evening, and the subject of those documents have received my careful consideration.

The recent changes in the moneyed concerns of the whole country, and especially those which have taken place by the suspension of specie payment by the state Bank of Illinois and and its branches, since the date of the Treasurer's letter of the 22d and the resolution of the Board of Canal Commissioners of the 24th inst., renders the subject embraced in those documents, both with reference to the safety of the Canal and other State funds deposited in the bank, the credit and usefulness of the Bank, and the future operations of the Canal, are of too much importance to be hastily acted upon. I will therefore defer for a short time my final answer, and in the mean time seek an interview (at which I would be glad to have you present) with the President of the State Bank of Illinois for the purpose of making, if possible, some satisfactory and permanent arrangement for employing the Branch Bank at Chicago.

go as a fiscal agent for receiving and disbursing the Canal funds, or for paying over the sum now on deposit in specie, or such other funds as will enable the State to meet its present engagements with contractors on the Canal and others, and to carry on its future operations without loss or embarrassment. It will afford me pleasure to see you at my house, at any time that suits your convenience, and to confer freely, on all subjects connected with the public interest, in the promotion of which you shall receive my cordial co-operation.

With great respect, your ob't serv't,

JOSEPH DUNCAN.

Col. J. A. McCLEARNAND,

Gen. JACOB FRY,

Canal Commissioners.

P. S. The papers you requested should be returned you will find enclosed. J. D.

(No. 6.)

Letter from the Treasurer and Acting Commissioner of the Canal, to Joseph Duncan, Governor of Illinois.

MILLER'S HOTEL, JACKSONVILLE, Illinois,

May 29th, 1837.

GOV. DUNCAN.

SIR: The resolution of the Board of Canal Commissioners, referred to in our communication of yesterday, makes it the further duty of the undersigned to confer with your Excellency, generally, upon the subject of the Canal Fund.

While we would state that the late letting of contracts (on the 20th instant) contemplating the additional construction of some sixteen miles of canal, at the expense of a million of dollars in round numbers, creates a still greater necessity for the timely negotiation of the \$500,000 loan authorized by the canal law of 1836. We would forbear any further remarks upon that subject than has been laid before your honor, in the Treasurer's letter, of the 3d instant, convinced as we are of the probable impracticability of accomplishing the loan at this time.

Your Excellency is aware that the June instalment of the payment for canal property, constitutes an essential part of the reliance of the Board for the means of the current year's disbursements, the same being \$385,591 39.

The doubts heretofore expressed by the Treasurer, in the

communication alluded to, that any considerable portion of this instalment would not be realized, as contemplated by law and stipulated by the bonds of the indebted, have been but strengthened by subsequent events.

The apparent impracticability then, of negotiating the \$500,000 loan referred to, and the probable failure of a considerable proportion of the payments for canal property, together with the possibility of the unavailability in certain and not altogether improbable contingencies, of the moneys now in deposit in the Chicago Branch Bank, present considerations of serious portent to the progress of the canal for the present.

It was in view of this state of things that we were authorized by the Board to "confer with you generally upon the subject of the finances of the canal fund." Even now some of the apprehensions which contributed with other motives to this determination, have been realized sooner than we had anticipated or had been led to believe; and even before it was practicable for the Board, under the recent press of accumulated business, and the absence of your Excellency's views in relation to the attaching responsibilities of the present deposit of the canal fund, to take any efficient steps to counteract the prejudice of their reality. We refer to the suspension of specie payments by the Bank of "the State of Illinois." The event was contemplated as inevitable by the Board, under existing circumstances, but it had not yet transpired when the undersigned left the canal office, at Chicago, on the 25th instant, to communicate with your Excellency upon the measures necessary to ward off the deleterious influences of this, a foreseen result.

The great question now presents itself in view of the crisis that threatens us. Is it practicable to institute any measures of adequate or valuable relief? And, if so, is it proper to adopt them in appreciation of their comparative advantages and disadvantages?

If legislative aid in the form of authority to suspend specie payments, should be resorted to for the protection of State interests, the undersigned would simply suggest it as their view, that such position on the part of the State would greatly diminish the danger that might arise to the availability and safety of the canal fund, under the effect of a general and simultaneous demand of specie for her notes, a result legitimately incident to a temporary suspension of specie payments unauthorized by law, under the circumstances of the

emergency, while at the same time the State would be saved from great loss by the depreciation of the notes of the Bank as a *necessary* part of the *media* of disbursements by the Branch, in payment of the Treasurer's checks in favor of the creditors of the canal fund; and the Branch so relieved by the moral sanction of voluntary and timely aid by the Legislature, in her suspension of specie payments, as to enable her to protect her charter from forfeiture, her paper from any great depreciation, and to resume hereafter with ample ability for the test, the payment of specie.

The effect of suspension, under such high countenance, would be greatly neutralized by the moral influence of legislative interposition, and the well known ability of the Bank to resume successfully specie payments hereafter.

The effect of *depreciation*, and consequent prejudice to the State might be averted to some extent by the legally authorized receipt of the notes of all the Banks of the State at par, in payment of taxes and all other of the dues of the State, while if a total suspension of Bank accommodations, with an incident, rigid, but necessary collection of debts should prove onerous and disastrous to the community, power might be conferred on the bank, enabling her to cease so oppressive a policy, and to relieve the community in the wisdom of the Legislature, by authorizing her, subject to proper and judicious checks, to issue post notes.

The means of relief, however, are merely collateral to our duty, and properly and exclusively determinable by your Excellency, as the Executive of the State.

Again, another legitimate and not unimportant motive for the intervention of legislative aid, is the importance of some measure of relief by which the debtors of the canal fund, for canal property, might be enabled to liquidate with certainty, and in due time, for the wants of the canal, their obligations for heavy and now immediate payments.

As the revenue from this source is an essential reliance for the present progress of the canal, it is evidently expedient that the State should adopt some course which would ensure its timely realization; besides, it is not unworthy the attention of the Legislature, in the compass of its guardianship, to extend its needed and merited relief to a respectable portion of the citizens of the State from whom this revenue is to be derived, and who have materially advanced the interest of the work by placing a high and proper estimate upon canal pro-

perty, by the liberality of their bids for it when exposed to public sale.

On the other hand, should the Banks of the State continue their suspension of specie payments without the sanction of Legislative enactment under any defensive arrangement, they might adopt, the result in the opinions of the undersigned, would still be deleterious. We speak now of the State Bank of Illinois first, because the sixty days extension of her time for the redemption of her paper, would prove unavailing unless she were able to continue specie payments in the rotation of its demand, under the runs naturally incident to the fears and suspicions of temporary suspensions of specie payments, not having the right to commute the rights of individuals by the enforcement of a rule of arbitrary and partial redemption, she would be compelled to resume specie payments to preserve her character, which would in the general discontinuance of specie payments by other banks, destroy her paper as a circulation, and return it upon her in large accumulations as an article of trade. Her paper being equivalent to specie would be sought for with avidity, that its holders might realize the premium on specie by its exchange at the Bank for that article.

With the position we have assumed in respect to the responsibilities of the Banks charter, the proposition resolves itself into this, that the Bank being forced to a continuation for specie payments under oppressive circumstances must ultimately fail, or else her supply of specie must be equal to her liabilities, and she can in the face of the present untowered prospect collect debts upon other banks and from her debtors generally.

The condition of the bank is now strong, her proportion of gold and silver being something like a half a million or more, to a million of circulation that is, as one is to two. This exhibit of her solvency would reinstate public confidence in her ultimate ability, if she continued her suspension for a time under sanction of law, whereas the change of this fair proportion of gold and silver to her circulation by a run say of \$400,000 in redemption of her paper, would leave her certain means and liabilities as one is to five, a position altogether altered and very equivocal.

The depreciation of the circulation of the bank, would subject the State to a considerable loss in the necessity of an increase of the nominal amount of her payments to her creditors, also finally at least a partially but absolute loss to the

same extent of her deposits now, approximating a million of dollars, under existing arrangements in the banks of the State if they should fail.

In either event should our public deposits become unavailable, or should they be entirely lost, except so far as they would be reinstated by the dividend of her assets paid to the share of the State, the public works must necessarily and inevitably stop.

The system of Internal Improvements adopted at the late session of the Legislature, as well as the "Illinois and Michigan Canal" the object of our charge, and now in successful progress of completion would fail of accomplishment, public officers having no available means to support the progress of the work, and a sale of the State Bond being utterly impracticable in the present state of things.

The State would also be left liable to the General Government for her share of the surplus revenue, amounting to \$600,000 without the enjoyment of any corresponding advantages from its use. The reaction in the onward career of our State in prosperity and promise, would be equally abiding and disastrous.

The times are truly portentous, the government having ceased to deposit her receipts in many of the banks, in which she has been wont to place it for safe keeping, and the banks generally of all the States northeast and south of our own, having suspended the redemption of their liabilities by the payment of specie.

We hope in the latitude of this communication, we have not exceeded the legitimate scope of our licence, nor that we have obtruded views upon your attention gratuitous and foreign to our duty.

We are frank to confess it to be your legitimate and exclusive province to determine the expediency of conveying the Legislature to consider of the necessities of any emergency, and while we so avow ourselves, we do not wish to be understood as attempting to forestall the fair and proper exercise of the right.

The undersigned are now at Miller's Hotel, where they will await your Excellency's pleasure in the premises.

We are with great respect, your Excellency's most obedient servants.

JOHN A. McCLERNAND,
Treasurer Illinois and Michigan Canal.
JACOB FRY,

Acting Commissioner Illinois and Michigan Canal.

On motion of Mr. Thomas,
The reading of the accompanying documents was dispensed with,

Whereupon,

Mr. Servant moved that the message and accompanying documents be laid on the table and 5000 copies thereof be printed:

And a division of the question being called for, the question was accordingly put upon laying the message on the table and printing 5000 copies thereof,

And decided in the affirmative.

Mr. Thomas moved that 500 copies of the documents accompanying the Governors Message be printed;

And thereupon,

On motion of Mr. Gatewood,

Ordered, That said documents be laid on the table, and 1000 copies be printed.

Mr. Speaker appointed the standing committees of the last session, the standing committees of the present session, Mr. Moore being placed upon the committees on petitions and on agriculture.

The bill entitled

"An act further supplemental to an act, to establish and maintain a general system of Internal Improvement,"

Was read the second time,

And on the question,

Shall the bill be engrossed for a third reading,

It was decided in the negative.

The bill entitled

"An act concerning public roads,"

Was read the second time, and

Ordered to be engrossed for a third reading.

The resolution on yesterday offered by Mr. Browning relative to legislative business, was taken up,

Thereupon,

The question being put upon the adoption of the said resolution,

It was decided in the negative.

The resolution on yesterday offered by Mr. Herndon, having for its object the rescinding of the rule requiring resolutions to lay one day upon the table before consideration, was taken up,

Thereupon,

The question being put upon the adoption of the said resolution,

It was decided in the negative.

Mr. Thomas asked and obtained leave to introduce a bill for

"An act concerning conveyances;"

Which was read, and

Ordered to a second reading.

Mr. Hamlin asked and obtained leave to introduce a bill for

"An act to legalize processes in the circuit courts of this State,"

Which was read, and

Ordered to a second reading.

Mr. Servant introduced the petition of Samuel Wiley and others, praying for the passage of

"An act to establish a Female Academy."

On motion of Mr. Servant,

The reading of the said petition was dispensed with, and the same was

Referred to a select committee.

Ordered, That Messrs. Servant, Moore, and Edwards be that committee.

Mr. Maxwell introduced the petition of sundry citizens of Schuyler, McDonough, and Sangamon counties, praying for the passage of

"An act establishing a State Road from Springfield in Sangamon county, to McComb in McDonough county;

Which was

On motion of Mr. Maxwell,

Referred to a Select committee.

Ordered, That Messrs. Maxwell, Herndon, and Hacker, be that committee.

On motion,

The Senate adjourned.

WEDNESDAY, July 12th, 1837.

The Senate met pursuant to adjournment.

Mr. Pruyne presented the petition of sundry citizens of Illinois, and residents on the Canal lands, praying the repeal of the law entitled

"An act to provide against trespasses on the Canal lands."

Which was read, and

On motion of Pruyne,

Referred to the committee on Canal and Canal lands.

Mr. Weatherford presented the petition of M. Cyrus, praying the passage of

"An act supplementary to an act entitled an act to change the name of James Philley."

Which was on his motion,

Referred to a Select committee.

Ordered, That Messrs. Weatherford, O'Rear, and Turney be that committee.

Mr. Servant presented the petition of N. Pope and others, praying for a change in some of the provisions in the Kaskaskia bridge charter.

Which was on his motion,

Referred to a Select committee.

Ordered, That Messrs. Servant, Parish and Lane be that committee.

Mr. Owen presented the petition of Sundry citizens of McDonough and Hancock counties, praying for the location of a state road.

Which was on his motion,

Referred to a Select committee.

Ordered, That Messrs. Owen, Butler, and Ross be that committee.

Mr. Servant from the select committee to which had been referred the petition of S. Wiley and others, praying for an act to incorporate a Female Academy,

Reported a bill for

"An act to incorporate the Illinois Female Institute."

Which was read, and

Ordered to a second reading.

The engrossed bill entitled

"An act concerning public roads,"

Was read the third time and passed.

Ordered, That the title of the Bill be as aforesaid, that Se-

cretary inform the House of Representatives thereof, and ask their concurrence therein.

The bill for

"An act concerning conveyances,"

Was read a second time, and

On motion of Mr. Gatewood,

Referred to the committee on the Judiciary.

The bill for

"An act to legalize processes in the Circuit Courts of this State,"

Was read a second time, and

On motion of Mr. Hamlin,

Referred to the committee on the Judiciary.

Mr. Hacker asked and obtained leave to introduce a bill for "An act concerning the recording of Conveyances,"

Which was read, and

Ordered to a second reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and said bill read a second time by its title, and

Referred to the committee on the Judiciary.

On motion of Mr. Gatewood.

Resolved, That so much of the Governor's message as relates to the banks in this State, be referred to the committee on Finance, and so much as relates to Internal Improvements, to the committee on Internal Improvements.

Mr. Hamlin moved the adoption of the following resolution viz:

Resolved by the Senate, That the standing hour of adjournment be to 8 o'clock A. M., during the present session.

Mr. Browning moved to dispense with the rule of the Senate requiring resolutions to lay one day upon the table, and now consider said resolutions,

Which was not agreed to.

Mr. Browning offered for adoption the following resolution viz:

Resolved, That the Treasurer report to the Senate the amount of money received in the Treasury since the 4th day of March last, and on what account received; also what amount of money has been paid out since the said 4th day of March, and to whom and on what account paid out, and also what amount of money there now is remaining in the Treasury of the State.

Which lies one day on the table.

Mr. Servant asked and obtained leave to introduce a bill for "An act forming an additional Justice's district in the county of Randolph.

Which was read, and

Ordered to a second reading.

Mr. Hacker offered for adoption the following resolution, viz:

Resolved, That so much of the Governor's message as relates to the report of the board of Internal Improvement, be referred to the committee on Finance.

Which lies one day on the table.

Mr. Stadden asked and obtained leave to introduce a bill for "An act to authorize John Green and William Stadden, to build a toll bridge across Fox river,

Which was read, and

Ordered to a second reading.

Mr. Hernden asked and obtained leave to introduce a bill for "An act to extend the corporate powers of the president and trustees of the town of Springfield.

Which was read, and

Ordered to a second reading.

On motion of Mr. Pruyne,

Resolved, That so much of the Governor's message as relates to the Illinois and Michigan Canal, be referred to the committee on Canal and Canal lands.

Mr. Gatewood offered for adoption the following resolution, viz:

Resolved, That the Auditor of Public Accounts be requested to furnish to this General Assembly, a full and tabular statement of the condition of the school, college and seminary funds up to this date, and that he be requested to specify what sum the State owes to said fund, an accurate calculation of interest thereon under the act of 1829, and all other laws relating thereto, up to this time;

What amount has been received and not applied to State purposes and where it is;

What amount of the Surplus Revenue has been added to the School Fund, and where it is.

And on his motion,

The rule of the Senate requiring resolutions to lay one day

upon the table was dispensed with, and said resolution adopted.

On motion,
The Senate adjourned.

THURSDAY, July 13th, 1837.

The Senate met pursuant to adjournment,
A message from the Governor by Mr. Field, Secretary of State.

Mr. Speaker:

I am directed by the Governor to deliver to the Senate a communication in writing,

And he withdrew.

Mr. Servant from the Committee on Finance to which was referred so much of the Governor's message, as related to the Banks in this State,

Reported a bill entitled

"An Act to suspend for a limited time certain laws in relation to the Banks in this State."

Which was read, and

Ordered to a second reading,

On motion of Mr. Servant,

The rules of the Senate was dispensed with, and the bill was read a 2nd time by its title, and

On motion of Mr. Servant,

Laid on the table and ordered to be printed.

Mr. Owen from the select Committee to which had been referred the petition of sundry citizens of Hancock and McDonough counties,

Reported a bill for

"An Act to locate a State Road from Apanooce, in Hancock county, to the drowning fork of Crooked Creek in McDonough county, and to vacate part of a State Road;"

Which was read and ordered to a second reading.

Mr. Servant, from the select Committee to which had been referred the petition of N. Pope and others.

•Reported a bill for an act, to amend the act incorporating the Kaskaskia Bridge Company;"

Which was read and

Ordered to a second reading.

Mr. Allen of Green, asked and obtained leave to introduce
a Bill for

"An Act to relocate the county seat of Calhoun county."

Which was read and

Ordered to a second reading.

Mr. Pruyne, asked and obtained leave to introduce a Bill for

"An Act to repeal an act in relation to Schools in Township thirty nine North, Range fourteen East;"

Which was read, and

Ordered to a second reading.

Mr. Bond asked and obtained leave to introduce a Bill for
"an act for the benefit of a person therein named."

Which was read, and

Ordered to a second reading.

Mr. Bond offered for adoption the following Resolution, viz:

Resolved, By the Senate (the House of Representatives concurring herein,) that the two Houses will adjourn *sine die* on the 24th instant, at 8 o'clock, A. M. which lies on the table one day.

The Bill for "an act to Incorporate the Illinois Female Institute;"

Was read a second time, and

On motion of Mr. Servant amended by inserting in the first section the names of ——— Hay and Ebenezer Alexander, and

Ordered to be engrossed as amended for a third reading.

The Bill for an act forming an additional Justices district in
the county of Randolph,

Was read a second time, and

Ordered to be engrossed for a third reading.

The Bill for "an act to authorize John Green and William Stadden, to build a toll Bridge across Fox River;"

Was read a second time, and

Ordered to be engrossed for a third reading.

The Bill for "an act to extend the corporate powers of the President and Trustees of the town of Springfield;"

Was read a second time, and

Ordered to be engrossed for a third reading.

The Resolution introduced by Mr. Haulin, relative to the hour of adjournment of the Senate was taken up for consideration and adopted.

The Resolution introduced by Mr. Hacker, relative to the Governor's Message,

Was taken up for consideration and adopted.

The Resolution introduced by Mr. Browning, calling upon the Treasurer for certain information,

Was taken up, and adopted.

The following communication from the Governor was read,
viz;

EXECUTIVE DEPARTMENT.}

VANDALIA, JULY 13TH, 1837. }

To the Hon. the Speaker of the Senate,

SIR:—I have the honor to inform the Senate that a vacancy has occurred since the adjournment of the last Legislature, in the office of Circuit Judge in the first Judicial Circuit by the resignation of the Hon. Stephen T. Logan, which has been filled temporarily by the appointment of William Brown Esq.

I have the honor to be sir,

Your obedient servant,

JOSEPH DUNCAN.

And on motion of Mr. Hacker,
Laid upon the table.

On motion of Mr. Allen of Green, the vote ordering the Bill for "an act for the supplemental to an act to establish and maintain a system of Internal Improvement."

To be engrossed for a third reading, was

Reconsidered, and said Bill,

On motion of Mr. Hacker, was

Laid on the table.

Mr. Bond, offered for adoption the following resolution viz:

Resolved, By the Senate (the House of Representatives concurring herein,) that the board of public works appointed under the provisions of "an act to establish and maintain a general system of Internal Improvement, approved Feb. 27th, 1837, are hereby required to make quarterly reports to the Governor of the State of Illinois, a minute and particular statement of the number of Engineers, officers and agents, employed by them—on the several improvements contemplated by said act specifying the nature of the services required of each, the salaries or sum per diem allowed each, and the length of time or number of days such Engineer, Officer or Agent, will necessarily be engaged in service which report when so made to the Governor shall be published—in the public newspapers throughout the state.

Which lies one day on the table.

Mr. Weatherford, asked and obtained leave to introduce a Bill for "an act to amend an act," to change the name of Watson James Filley, approved 16th January, 1837.

Which was read, and

Ordered, to a second reading.

On motion the Senate adjourned.

FRIDAY, July 14th, 1837.

The Senate met pursuant to adjournment.

Mr. Thomas from the committee on Canals and Canal lands reported a bill for

"An act for the relief of purchasers of canal lands and lots;"

Which was read, and

Ordered to a second reading, and

On motion of Mr. Pruyne,

The rule of the Senate was dispense with, and said bill

Was read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Thomas from the committee on Canal and Canal lands, to whom was referred that portion of the Governor's message that relates to the Canal lands, reported a bill for

"An act to provide for the sale of certain Canal lands and for other purposes."

Which was read, and

Ordered to a second reading; and

On motion of Mr. Turney,

The rule of the Senate was dispensed with, and said bill was

Read a second time by its title, and

On motion of Mr. Turney,

Laid on the table and ordered to be printed.

Mr. Browning moved the adoption of the following resolution, viz:

Resolved by the Senate, (the House of Representatives concurring herein,) that a joint select committee of two on the part of the Senate, and three on the part of the House of Representatives, be appointed to enquire and report what

number of officers, engineers, and agents are now employed under the provisions of "an act entitled an act, to establish and maintain a general system of internal improvements," passed on the 27th day of February 1837, also the names of said officers, engineers, and agents, and the particular duties assigned to each, by what authority said officers, engineers and agents have been appointed, and the salaries at which they are respectively employed if employed; at annual salaries, or their per diem or monthly pay; if paid by the day or month, the amount of money expended under said bill for what expended, to whom paid, and by what authority drawn from the Treasury; and that said committee have power to send for persons and papers, and that they make report as soon as the nature of the duties to be performed will allow.

On motion of Mr. Browning,

The rule of the Senate was dispensed with, and said resolution was now considered and adopted;—yeas 38—Noes 0.

Those voting in the affirmative, are

Messrs. Allen of Greene, Allen of McLean, Bond, Borough, Browning, Butler, Craig, Edwards, Fletcher, Gatewood, Hackleton, Hacker, Hamlin, Lane, Maxwell, McLaughlin, Mills, Mitchell, Moore, Murray, Noel, O'Rear, Owen, Parrish, Pruyne, Reily, Ross, Servant, Stadden, Thomas, Turney, Vance, Warren, Weatherford, Whiteside, Wight, Wood, and Mr. Speaker,—38.

Ordered, That Messrs. Browning and Allen of McLean, be the committee on the part of the Senate,

And that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

A message from the House of Representatives by Mr. Flood, their clerk pro tem.

Mr. Speaker:

I am directed to inform the Senate that the House of Representatives have adopted the following resolution viz:

Resolved, By the House of Representatives, (the Senate concurring herein,) that both Branches of the General Assembly will meet in the Representatives Hall, on the 14th instant, at 4 o'clock P. M. for the purpose of electing a Judge in the first Judicial Circuit to fill the vacancy occasioned by the resignation of the Hon. Stephen T. Logan.

In the adoption of which they ask the concurrence of Senate.

They have also passed a Bill of the following title viz:

"An act legalizing the location of the State Road from

Knoxville, to New Boston;" In the passage of which they ask the concurrence of the Senate.

And he withdrew.

Mr. Wetherford asked and obtained leave to introduce a Bill for "an act in relation to Garnishees,"

Which was read, and

Ordered to a second reading; and

On motion of Mr. Weatherford, the rule of the Senate was dispensed with and said Bill

Was read a second time by its title, and

Referred to the committee on the Judiciary.

Mr. Edwards asked and obtained leave to introduce a Bill for "an act supplemental to the several acts in relation to the Bank of Illinois at Shawneetown."

Which was read, and

Ordered to a second reading.

On motion of Mr. Edwards the Rule of the Senate was dispensed with, and said Bill

Was read a second time by its title, and

On motion of Mr. Gatewood, amended by adding to the 2nd section the following proviso, viz.

"*Provided*, that when there shall not be two of the State directors present at any meeting, the said Board may consist of five for the transaction of business."

And on motion of Mr. Turney, said Bill and proposed amendment were laid on the table.

Mr. Warren asked and obtained leave to introduce a Bill for "an act to relocate a part of the State Road leading from Maysville to Shelbyville.

Which was read, and

Ordered to a second reading, and

On motion of Mr. Warren, the rule of the Senate was dispensed with, and said Bill

Read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. O'Rear asked and obtained leave to introduce a Bill for "an act relative to the duty of county Treasurers and Sheriffs,"

Which was read, and

Ordered to a second reading.

Mr. Gatewood, from the Committee on the Judiciary, to whom was referred a Bill for "an act concerning conveyances,"

Reported the same without amendment.

Ordered to be engrossed for a third reading.

Mr. Gatewood, from the committee on the Judiciary, to whom was referred

A Bill for "an act to legalize process in the Circuit Courts of this State,

Reported the same back without amendment.

Ordered to be engrossed for a third reading.

Mr. McLaughlin asked and obtained leave to introduce a Bill for "an act supplemental to an act entitled an act to locate a State Road from Hardy Foster's, in Marion county, to Shelbyville in Shelby county,

Which was read, and

Ordered to a second reading.

Mr. Thomas, from the committee on the Judiciary, to whom was referred a Bill for "an act concerning the recording of Conveyances;"

Reported the same without amendment,

Ordered to be engrossed for a third reading.

The Resolution from the House of Representatives, in relation to the election of a Judge of the first Judicial Circuit was taken up for consideration, and

On motion of Mr. Turney, amended by striking out the 14th and inserting in lieu thereof the 15th.

Whereupon said resolution was

Adopted as amended.

Ordered, that the Secretary inform the House of Representatives of the adoption of said Resolution, and ask their concurrence in the amendments of the Senate thereto.

The engrossed Bills of the following titles, viz:

"An act forming an additional Justice's district in the county of Randolph;"

"An act to authorise John Green and William Stadden to build a bridge across Fox River;"

"An act to extend the corporate powers of the President and Trustees of the Town of Springfield;"

Were severally read a third time and passed.

Ordered, that the titles of said Bills be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The Bills of the following titles, viz:

"An act to locate a State Road from Apanooce in Hancock county to the drowning fork of Crooked Creek in McDonough county, and to vacate a part of a State Road;"

"An act to amend an act incorporating the Kaskaskia Bridge Company;"

"An act to repeal an act in relation to Schools in Township thirty nine North, Range fourteen East;"

"An act to amend an act to change the name of Watson James Filley, approved 16th January 1837."

Were severally read, and

Ordered to be engrossed for a third reading.

The bill for

"An act to relocate the county seat of Calhoun county,"

Was read a second time, and

On motion of Mr. Allen of Greene,

Was referred to a select committee.

Ordered, That Messrs. Allen of Greene, Turney and Ross, be that committee.

The bill for

"An act for the benefit of persons therein named,"

Was read a second time, and

Mr. McLaughlin moved to refer said bill to a select committee.

Which was decided in the negative.

Mr. McLaughlin moved to refer said bill to the committee of the whole, and make it the order of the day for to-morrow,

Which was decided in the negative.

The question then recurring, Shall said bill be engrossed for a third reading?

Was decided in the affirmative,—Ayes 19—Noes 13.

Those voting in the affirmative, are

Messrs. Bond, Fletcher, Hacker, Hamlin, Lane, McLaughlin, Mills, Mitchell, Moore, Noel, Pruyn, Reily, Servant, Stadden, Turney, Warren, Whiteside, Wight, and Wood.

In the negative.

Messrs. Allen of Greene, Allen of Macon, Borough, Browning, Craig, Edwards, O'Rear, Parrish, Ross, Thomas, Vance, Weatherford, and Mr. Speaker.

The resolution yesterday introduced by Mr. Bond, in relation to the adjournment of the two Houses, was taken up for consideration, and

On motion of Mr. Ross,

Laid on the table.

The resolution yesterday introduced by Mr. Bond, in relation to the board of public works, was taken up for consideration and was adopted.

The bill from the House of Representatives, for
 "An act legalizing the location of the State road from
 Knoxville to New Boston,"

Was read, and

Ordered to a second reading, and

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and said bill
 read a second time by its title, and

Ordered to a third reading.

A message from the House of Representatives, by Mr.
 Flood, Clerk *pro tem*.

MR. SPEAKER:

The House of Representatives have adopted the following
 resolution:

Resolved by the House of Representatives, (The Senate concur-
rin herein,) That there be no new business received in either
House of this General Assembly after Saturday the 15th inst.

In the adoption of which they ask the concurrence of the Senate,

And he withdrew.

Whereupon,

Mr. Lane moved to lay the resolution in said message on
 the table.

Which was decided in the negative—Ayes 3—Noes 29.

Those voting in the affirmative, are

Messrs. Lane, McLaughlin and Stadden.

Those voting in the negative, are

Messrs. Allen of Greene, Allen of Macon, Borough, Brown-
 ing, Butler, Craig, Edwards, Hacker, Hamlin, Mills, Mitchell,
 Moore, Murray, Noel, Owen, Parrish, Pruyn, Reily, Ross,
 Servant, Thomas, Turney, Vance, Warren, Weaterford,
 Whiteside, Wight, Wood, and Mr. Speaker.

Whereupon,

The question was put upon concurring with the House of
 Representatives in the adoption of said resolution,

And decided in the affirmative.

Ordered, That the Secretary inform the House of Repre-
 sentatives thereof.

Mr. Pruyn asked and obtained leave to introduce a bill for
 "An act to locate a State road therein named,"

Which was read, and

Ordered to a second reading, and

On motion of Mr. Pruyn,

The rule of the Senate was dispensed with, and said bill

Was read a second time by its title, and
Ordered to be engrossed for a third reading.

On motion of Mr. Ross,

The bill for

"An act to suspend for a limited time certain laws in relation to the Banks in this State," was taken up.

Mr. Ross moved to amend the 4th line of the 6th section by filling up the blank with ten,

Which was agreed to.

The question thereupon recurring, Shall said bill as amended be engrossed for a third reading?

It was decided in the affirmative—Ayes 24—Noes 10.

Those voting in the affirmative, are

Messrs. Allen of Macon, Bond, Borough, Browning, Butler, Edwards, Fletcher, Hamlin, McLaughlin, Mills, Mitchell, Moore, Murray, O'Rear, Owen, Pruyne, Reily, Ross, Servant, Thomas, Vance, Whiteside, Wight, and Wood.

Those voting in the negative, are

Messrs. Allen of Greene, Craig, Hacker, Lane, Noel, Stadden, Turney, Warren, Weatherford, and Mr. Speaker.

A message from the House of Representatives, by Mr. Flood, their clerk *pro tem*.

MR. SPEAKER:

The House of Representatives have concurred with the Senate in their amendment to the resolution from the House of Representatives in relation to the election of Judge in the 1st Judicial circuit.

And he withdrew.

On motion,

The Senate adjourned.

SATURDAY, July 15th, 1837.

The Senate met pursuant to adjournment.

Mr. Allen of Greene, from the select committee, to whom was referred the Bill for an act to relocate the county seat of Calhoun county,

Reported the same back with amendment.

Mr. Turney moved to amend the proposed amendment by inserting after the word "months," the words "and previous to said election," which was not agreed to.

The question recurring on the proposed amendment,
Was decided in the affirmative,

Ordered to be engrossed for a third reading as amended.

A message from the House of Representatives.

MR. SPEAKER:

The House of Representatives have passed bills of the following titles viz:

"An act to re-establish a certain Road therein named;"

"An act to relocate a part of the State Road in Edgar county;"

"An act to vacate certain Town plats;"

"An act to change the name of the Town of Centreville;"

"An act for the purposes therein named;"

"An act to amend an act entitled an act to Incorporate the Town of Carlinville, approved March 4th 1837."

"An act to establish a State Road from Beardstown in Cass county, to Petersburg in Sangamon county;"

"An act to change the names of Thomas Jefferson Sanders and Francis Hood," and

"An act to change a State Road leading from Rushville to Carthage."

In the passage of which several Bills they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of Bills of the following titles viz:

"An act concerning public Roads;"

"An act forming an additional Justice's district in the county of Randolph," and

"An act to incorporate the Illinois Institute."

They have adopted the following Resolution, viz:

Resolved, By the House of Representatives, (the Senate concurring,) That the Secretary of State be authorised and directed to distribute among the several counties of this State, in the ratio that the Laws and Journals are distributed, all the unbound copies of the acts of Congress now in, and that may hereafter come into the office of Secretary of State, reserving for the use of the State—five copies of each session.

In the adoption of which they ask the concurrence of the Senate.

They have concurred with the Senate in the adoption of the resolution having for its object the appointment of a joint select

committee to enquire into the number and names of the Officers, Engineers and Agents appointed under an act to establish and maintain a general system of Internal Improvement, their duties, salaries &c., as amended by them.

They amend by adding the following, to wit:

"And that the said committee further enquire into and report the number of Engineers, Agents, Superintendents and Servants of every description, employed by the Commissioners of the Illinois and Michigan Canal, the names and amount of compensation allowed, and the nature of the service assigned to each," and "into the amount of money expended in the entry and purchase of lands for the use of the State, under the authority of said law by the Board of Public Works;"

And have appointed Messrs. Dougherty, Hardin, and Naper, the committee on their part,

And ask the concurrence of the Senate in their amendments to said resolution.

They have adopted the following Resolution, to wit:

Resolved, By the General Assembly, (two thirds concurring herein,) that it be recommended to the electors of the State of Illinois, at the next General Election for Representatives to vote for or against a Convention to amend the Constitution of this State.

In the adoption of which resolution they ask the concurrence of the Senate.

I am further directed to inform the Senate that upon the passage of said resolution in the House of Representatives, fifty one members voted in the affirmative, thirty three in the negative and that eighty nine now hold their seats in the House of Representatives.

And he withdrew.

Mr. Turney asked and obtained leave to introduce a Bill for "an act for the purposes therein mentioned;"

Which was read, and

Ordered to a second Reading, and

On motion of Mr. Turney the Rule of the Senate was dispensed with and said Bill read a second time by its title, and

On motion of Mr. Turney, referred to a select committee.

Ordered, that Messrs. Turney, Borough and Wood, be that committee.

Mr. Turney asked and obtained leave to introduce a Bill for "an act to amend the act entitled an act concerning practice in Courts of Law approved 29th January, 1827;"

Which was read, and

Ordered to a second reading, and

On motion of Mr. Turner, the Rule of the Senate was dispensed with and said Bill was read a second time by its title, and Referred to the committee on the Judiciary.

Mr. Borough asked and obtained leave to introduce a Bill for "an act in relation to certain public roads therein named;"

Which was read, and

Ordered to a second reading.

On motion of Mr. Borough, the rule of the Senate was dispensed with and said Bill was

Read a second time by its title, and

Referred to a select committee.

Ordered, that Messrs. Borough, Hacker and Lane, be that committee.

Mr. Pruyn asked and obtained leave to introduce a Bill for "an act for the purposes therein named;"

Which was read, and

Ordered to a second reading.

On motion of Mr. Pruyn, the rule of the Senate was dispensed with and said Bill was read a second time by its title and

On motion of Mr. Pruyn,

Referred to a select committee.

Ordered that Messrs. Pruyn, Hacker and Lane, be that committee.

Mr. Hamlin asked and obtained leave to introduce a Bill for "an act to amend an act entitled an act to extend the corporate powers of the town of Peoria, approved Feb. 21, 1837;"

Which was read, and

Ordered to a second reading, and

On motion of Mr. Hamlin, the rule of the Senate was dispensed with, and said Bill was read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Vance asked and obtained leave to introduce a Bill for "an act to locate a State Road in Vermillion county;"

Which was read, and

Ordered to a second reading.

On motion of Mr. Vance, the rule of the Senate was dispensed with and said bill was

Read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Servant asked and obtained leave to introduce a bill for "an act for the relief of Nathaniel Pope and others.

Which was read, and

Ordered to a second reading.

On motion of Mr. Servant, the rule of the Senate was dispensed with and said bill was

Read a second time by its title, and

Referred to a select committee.

Ordered that Messrs. Servant, Moore and Allen of Green, be that Committee.

Mr. Stadden asked and obtained leave to introduce bills of the following title, viz:

"An act to attach the county of Livingston, to the 7th Judicial Circuit;"

"An act to establish the county seat of the county of Dekalb;"

"An act for the relief of Elizabeth Hatch, and for other purposes;" which were severally read, and

Ordered to a second reading, and

On motion of Mr. Stadden the rule of the Senate was dispensed with and said bills were severally read a second time by their titles, and

Referred to a select committee.

Ordered, That Messrs. Stadden, Butler and Mitchell, be that committee.

Mr. McLaughlin asked and obtained leave to introduce a bill for "an act requiring a Constable to reside in the town of Vandalia;"

Which was read, and

Ordered to a second reading, and

On motion of Mr. McLaughlin, the rule of the Senate was dispensed with and said bill read a second time by its title, and

On motion of Mr. McLaughlin, referred to a select committee.

Ordered, That Messrs. McLaughlin, Craig and Owen be that committee.

Mr. Browning asked and obtained leave to introduce a bill for "an act entitled an act to amend an act concerning Justice's of the peace and Constables, approved February 13th, 1827;" approved January 23rd, 1829."

Which was read, and

Ordered to a second reading, and

On motion of Mr. Browning, the rule of the Senate was dispensed with and said bill was

Read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Ross asked and obtained leave to introduce a bill for

"an act to suspend proceedings under the act to establish and maintain a general system of Internal Improvements, and for other purposes;"

Which was read and

Ordered to a second reading.

On motion of Mr. Edwards, the rule of the Senate was dispensed with and said bill was

Read a second time by its title, and

Mr. Edwards moved to refer said bill to the committee on Internal Improvements.

Mr. Ross moved to adjourn till 4 o'clock, P. M.

Which was not agreed to.

The question recurring on the motion to refer said bill to the committee on Internal Improvements,

Was decided in the affirmative.

Mr. Fletcher offered for adoption the following Resolution, viz:

Resolved, By the Senate (the House of Representatives concurring herein,) that our Senators in Congress be instructed, and the Representatives from this State be requested to exert their influence for the establishment of a United States Bank, or for the adoption of some other efficient measure by Congress for restoring the currency of the country to a sound condition and healthful action;

Provided, however, that no such Bank or other measure shall be connected with the Executive Department of the Government, or to be placed in the slightest degree under its control:

Which lies one day on the table.

Mr. Warren asked and obtained leave to introduce a bill for "an act to locate a State Road from Shelbyville in Shelby county;"

Which was read and

Ordered to a second reading, and

On motion of Mr. Warren, the rule of the Senate was dispensed with and said bill

Was read a second time by its title, and

On motion of Mr. Warren, was referred to a select committee.

Ordered, that Messrs. Warren, Noel and Parrish, be that committee.

Mr. Gatewood asked and obtained leave to introduce a bill for "an act to change the terms of the Courts in the third Judicial Circuit;"

Which was read and

Ordered to a second reading, and

On motion of Mr. Gatewood, the rule of the Senate was dispensed with and said bill was

Read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Thomas asked and obtained leave to introduce a bill for "an act to amend an act entitled an act declaring what shall be evidence in certain cases, approved 10th January, 1837;"

Which was read and

Ordered to a second reading.

On motion of Mr. Thomas the rule of the Senate was dispensed with, and said bill was

Read a second time by its title, and

Referred to the committee on the Judiciary.

On motion of Mr. Turney, the bill for "an act supplemental to the several acts in relation to the Bank of Illinois at Shawneetown, together with the amendment proposed thereto, and which had been laid on the table, was taken up,

Whereupon, the question recurring upon the proposed amendment,

It was decided in the affirmative.

Mr. Hamlin moved further to amend said bill by adding thereto the following as an additional section:

SEC. 3. One of the branches authorised to be established by the bank of Illinois at Shawncetown, under the act to increase the capital stock of certain banks, and to provide means to pay the interest on a loan authorised by an act entitled an act to establish and maintain a general system of Internal Improvements, approved March 4th 1837," shall be permanently located at Peoria, with such amount of capital as can be conveniently and safely supplied by the mother bank.

On motion of Mr. Gatewood,

Said bill and proposed amendment were referred to a select committee.

Ordered, That Messrs. Gatewood, Hamlin, and Browning be that committee.

Mr. Warren asked and obtained leave to introduce a bill for "An act to relocate a State road from Shelbyville to Springfield,"

Which was read, and

Ordered to a second reading, and

On motion of Mr. Warren,

The rule of the Senate was dispensed with, and said bill
Was read a second time by its title, and
Ordered to be engrossed for a third reading.

Mr. Vance asked and obtained leave to introduce a bill for
"An act appropriating the residue of the Vermillion saline
lands, to the counties of Iroquois and Vermillion, for the
building of bridges across the Iroquois and big Vermillion
rivers."

Which was read, and
Ordered to a second reading, and

On motion of Mr. Warren,

The rule of the Senate was dispensed with, and said bill
Was read a second time by its title, and

On motion of Mr. Warren, referred to a select committee.

Ordered, That Messrs. Warren, Noel, and Parrish, be that
committee.

Mr. Lane asked and obtained leave to introduce a bill for
"An act to locate a State road from or near George R. Lo-
gan's, to Tecumseh in White county," which was read, and
Ordered to a second reading.

On motion of Mr. Hacker, the bill for

"An act further supplemental to an act to establish and
maintain a system of Internal Improvements which had been
laid on the table was taken up.

On motion of Mr. Gatewood,

Said bill was amended by striking out the words "without
delay" and inserting in lieu thereof, the words "as soon as
practicable."

The question then recurring upon ordering said bill to be
engrossed for a third reading as amended,
It was decided in the affirmative.

Mr. Stadden asked and obtained leave to introduce a bill
entitled

"An act to locate certain State roads,"

Which was read, and

Ordered to a second reading.

Mr. Speaker laid before Senate a communication from the
inspectors of the Penitentiary in relation to the official mis-
conduct of the Warden of the Penitentiary,

Which was read, and

On motion of Mr. Edwards,

Laid on the table.

Mr. Speaker laid before the Senate the following commu-
nication from the Auditor of Public accounts:

STATE OF ILLINOIS, AUDITOR'S OFFICE, }
Vandalia, July 14th, 1837. }

To the Hon. the Speaker of the Senate:

SIR:—In compliance with the resolution of the Senate, requesting the Auditor of Public Accounts to furnish this General Assembly, a full and tabular statement of the condition of the School, College, and Seminary funds, &c., I have the honor to submit the following report.

I have the honor to be, Sir,

Your obedient servant,

LEVI DAVIS, AUD. P. A.

Amount of Auditor's Warrants purchased with School Fund, with interest on same up to the 31st December, 1833.	\$30,850 60
Amount of School Fund received and loaned to the State, with interest up to the 31st December, 1833.	29,093 28
Amount due School Fund on 31st Dec 1833.	59,943 88
Interest on this amount to 31st December, 1835, at 6 per cent. compound,	7,409 06
Amount of School Fund received and loaned to the State on the 7th of February, 1835.	23,193 50
Interest on this amount to 31st December, 1835,	1,246 72
From this sum deduct amount of interest apportioned to the counties on the 1st January 1836,	91,793 16 8,655 78
Amount due School Fund on the 1st January 1836,	\$83,137 38
Interest on this amount to 31st Dec. 1836,	4,988 24
Amount of School Fund received and loaned to the State on the 29th day of July, 1836,	75,894 37
Interest on this amount to 31st Dec. 1836,	1,933 74
From this sum deduct amount of interest apportioned to the counties on the 1st Jan. 1837,	\$165,953 73 6,921 98
Amount due School Fund on 1st Jan. 1837.	\$159,031 75

Amount of School Fund received and loaned to the State, January 6, 1837,	\$72,875 00
Amount of School Fund received and loaned to the State, February 27, 1837,	6,666 66
Amount of School Fund received and loaned to the State, March 20, 1837,	17,745 00
Amount of School Fund received and loaned to the State, April 21, 1837,	916 66
Amount of Treasury Warrant on Shawnee-town Bank, now in the hands of the Commissioner School Fund,	13,416 66
Amount due School Fund at this date, July 14, 1837,	<hr/> \$270,651 73
Amount of Auditor's Warrants purchased with College Fund, with interest on same up to 31st December, 1833,	6,168 11
Amount of College Fund loaned to the State, with interest on same, up to 31st December, 1833,	5,818 65
Amount due College Fund on 31st Dec. 1833.	11,986 76
Interest on this amount to 31st December, 1835, at 6 per cent. compound,	1,481 55
Amount of College Fund received and loaned to the State on the 7th day of February, 1835,	4,638 70
Interest on this amount to 31st Dec. 1835,	249 31
From this sum deduct the amount of interest apportioned to the counties, Jan 1, 1836,	18,356 32
	1,730 86
Amount due College Fund on the 1st day of January, 1836,	16,625 46
Interest on this amount to 31st of Dec. 1836,	997 52
Amount of College Fund received and loaned to the State on the 29th day of July, 1836,	15,178 87
Interest on this amount to 31st Dec. 1836.	386 74
From this sum deduct the amount of interest	33,188 59

apportioned to the counties on the 1st January, 1837,	\$1,384 26
Amount due College Fund on the 1st day of January, 1837,	31,804 33
Amount of College Fund received and loaned to the State on the 6th day of Jan. 1837,	14,575 00
Amount of College Fund received and loaned to the State on the 27th day of February, 1837,	1,333 33
Amount of College Fund received and loaned to the State on the 20th day of March, 1837,	3,555 00
Amount of College Fund received and loaned to the State on the 21st day of April, 1837,	183 33
Amount of Treasury Warrant on Shawnee-town Bank, now in the hands of the Commissioner of School Fund,	2,683 33
Amount due College Fund at this date, July 14, 1837,	54,134 32
Amount of Seminary Fund loaned to the State. with interest thereon up to the 31st December, 1833,	27,797 45
Interest on this amount up to 31st December, 1835, at 6 per cent. compound,	3,435 75
Amount of Seminary Fund loaned to the State during the years 1834 & '35, with interest on the same to 31st December, 1835,	21,053 28
From this sum deduct amount of interest apportioned to the counties on the 1st Jan. 1836,	52,286 48 4,297 04
Amount of Seminary Fund due on the 1st day of January, 1836,	47,989 44
Interest on this amount to 31st Dec. 1836,	2,879 36
Amount of Seminary Fund, loaned to the State on the 31st day of January 1836,	1,316 81
Interest on this amount to 31st Dec. 1836,	72 42
	52,258 03

From this sum deduct amount of interest ap- portioned to counties on the 1st day of Jan. 1837,	2,951 78
Amount due Seminary Fund at this date,	49,306 25
<hr/>	
July 14, 1837. Total amount of School Fund proper at this date,	270,651 73
“ Total amount of College Fund,	54,134 32
“ Total amount of Seminary Fund,	49,306 25
<hr/>	
To this amount, add the portion of the Sur- plus Revenue which has been added to the School Fund,	374,092 31
	335,592 32
<hr/>	
Total amount,	709,684 63

In conformity with what the Auditor conceived to be the correct construction of the acts, entitled “an act to establish and maintain a general system of Internal Improvements,” and “an act to amend the several acts in relation to common schools, he has added to the School Fund, as will be seen from the foregoing statement, out of the Surplus Revenue received from the United States, the sum of \$335,592 32, being the amount which the State owed the School, College and Seminary Funds, at the time the aforementioned acts were passed. Three instalments of the Surplus Revenue have been received and deposited by the Treasurer in conformity to law, amounting to the sum of \$477,919 14. Sixty thousand dollars have been deposited in the Bank at Shawneetown, and the remainder in the State Bank of Illinois. Of the amount deposited in the last named bank the sum of 50,000 dollars has been drawn out by the Board of Fund Commissioners.

STATE OF ILLINOIS, AUDITOR'S OFFICE,

VANDALIA, July 14, 1737.

LEVI DAVIS, Aud. Pub. Accts.

Which was read, and

On motion of Mr. Hacker,

Laid on the table and ordered to be printed.

The engrossed bills of the following titles, viz:

"An act to relocate a part of the State road leading from Maysville to Shelbyville;"

"An act concerning conveyances;"

"An act to legalize processes in the Circuit courts;"

"An act concerning the recording of Conveyances;"

"An act to locate a State road from Apanooce in Hancock county, to the Drowning Fork of Crooked Creek in McDonough county, and to vacate a part of a State road;"

"An act to amend an act incorporating the Kaskaskia Bridge Company."

"An act to repeal an act in relation to schools in township nine north, range fourteen east;"

"An act for the benefit of the persons therein named;"

"An act to amend an act to change the name of Watson James Filley, approved 16th January, 1837;"

"An act to locate a State road therein named;"

Were severally read a third time, and passed.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

A message from the Governor, by Mr. Field Secretary of State;

Mr. Speaker:

I am directed by the Governor to lay before the Senate a communication in writing.

And he withdrew.

The bill for

"An act to suspend for a limited time certain laws in relation to the Banks in this state,"

Was read a third time, and

On motion of Mr. Vance,

Referred to a select committee.

Ordered, That Messrs. Vance, Wight, Ross, Weatherford, and Edwards, be that committee.

The engrossed bill, entitled

"An act for the relief of the purchasers of Canal lands and lots,"

Was read a third time, and passed,—Ayes 28—Noes 7.

Those voting in the affirmative, are

Messrs. Allen of Green, Allen of McLean, Borough, Brown-
ing, Butler, Craig, Edwards, Fletcher, Hacker, Hamlin, Max-
well, Mitchell, Moore, Noel, O'Rear, Owen, Pruyne, Reilley,

Ross, Servant, Stadden, Thomas, Turney, Vance, Warren, Whiteside, Wight, and Mr. Speaker.

Those voting in the negative, are
Messrs. Bond, Gatewood, Lane, Murray, Parrish, Weatherford, and Wood.

The bills of the following titles, viz:

"An act relative to the duty of county treasurers and sheriffs;" and

"An act supplemental to an act to locate a State road from Hardy Foster's in Marion county, to Shelbyville, in Shelby county;"

Were severally read a second time, and

Ordered to be engrossed for a third reading.

Mr. Craig asked and obtained leave to introduce a bill for
"An act to change a part of the state road leading from Vandalia to Hillsboro;"

Which was read, and

Ordered to a second reading; and

On motion of Mr. Craig,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Referred to a select committee.

Ordered, That Messrs. Craig, McLaughlin, and Borough be that committee.

Mr. Mitchell asked and obtained leave to introduce a bill for
"An act for the purposes therein named;"

Which was read, and

Ordered to a second reading; and

On motion of Mr. Mitchell,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

On motion of Mr. Mitchell,

Referred to a select committee.

Ordered, That Messrs. Mitchell, Stadden, and Pruyn be that committee.

Mr. Vance asked and obtained leave to introduce a bill for
"An act to incorporate the town of Danville;"

Which was read, and

Ordered to a second reading.

Mr. Thomas asked and obtained leave to introduce bills of the following titles viz:

"An act to provide for certain contingencies;"

"An act concerning the canal lands."

"An act concerning the county of Livingston;"

Which were severally read, and

Ordered to a second reading.

Mr. Edwards asked and obtained leave to introduce a bill for

"An act to incorporate the City of Alton;

Which was read, and

Ordered to a second reading, and

On motion of Mr. Pruyn,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Servant asked and obtained leave to introduce a bill for

"An act to repeal an act to establish and maintain a general system of Internal Improvements;"

Which was read, and

On the question shall

Said bill be *ordered* to a second reading.

It was decided in negative—Ayes 12—Noes 19.

Those voting in the affirmative, are

Messrs. Allen of Greene, Borough, Browning, Butler, Craig, Lane, O'Rear, Ross, Servant, Thomas, Turney, and Mr. Speaker.

Those voting in the negative, are

Messrs. Allen of McLean, Bond, Edwards, Fletcher, Gatewood, Hacker, Hamlin, Mitchell, Moore, Murray, Noel, Owen, Parrish, Pruyn, Reilley, Stadden, Vance, Warren, and Weatherford.

Mr. Stadden asked and obtained leave to introduce a bill for

"An act for the purposes therein named;"

Which was read, and

Ordered to a second reading, and

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

On motion of Mr. Stadden,

Referred to a select committee.

Ordered, That Messrs. Stadden, Pruyn, and Mitchell, be that committee.

Mr. Turney asked and obtained leave to introduce a bill for
"An act to incorporate the town of Jerseyville;"

Which was read, and

Ordered to a second reading, and

On motion of Mr. Turney,

The rule of the Senate was dispensed with, and
Said bill was read a second time by its title; and

On motion of Mr. Turney,
Referred to a select committee.

Ordered, That Messrs. Turney, Allen of Greene, and
Weatherford, be that committee.

On motion,

The Senate adjourned till 4 o'clock, P. M.

4 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

A message from the House of Representatives by Mr. Flood,
their clerk *pro tem*.

MR. SPEAKER:

The House of Representatives are now ready to receive the
Senate in the Hall of the House to proceed to the election of
Judge in the First Judicial Circuit;

And he withdrew.

Whereupon

The Senate preceded by

Mr. Speaker, repaired to the Representatives Hall and there
both branches of the General Assembly proceeded to elect a
Judge for the first Judicial Circuit by ballot; when

Mr. Pruyne of the Senate, and Mr. Moore of St. Clair, of the
House of Representatives, having been appointed tellers,

The result stood thus;

For Jesse B. Thomas,	73.
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For William Brown,	42.
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Scattering,	5.
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Mr. Thomas having received a majority of all the votes given,
was declared by the Speaker of the House of Representatives
duly elected Judge of the First Judicial District of the State of
Illinois;

And thereupon,

The Honorable the Senate returned to their Chamber.

Mr. Gatewood asked and obtained leave to introduce a bill
for "an act to amend an act, entitled, an act to increase the
capital stock of certain Banks," &c.

Which was read, and

Ordered to a second reading; and

On motion of Mr. Browning, the rule of the Senate was dispensed with, and said bill was

Read a second time by its title; and

On motion of Mr. Gatewood, referred to a select committee.

Ordered, That Messrs. Gatewood, Pruyne and Thomas, be that committee.

Mr. Pruyne asked and obtained leave to introduce a bill for "an act entitled an act to prohibit the circulation of Bank Notes of a less denomination than five dollars;"

Which was read, and

Ordered to a second reading; and

On motion of Mr. Pruyne, the rule of the Senate was dispensed with, and said bill was

Read a second time by its title; and

On motion of Mr. Pruyne, referred to the committee on the Judiciary.

Mr. Warren asked and obtained leave to introduce a bill for "an act for the benefit of Vesty Adaline Martin;"

Which was read, and

Ordered to a second reading; and

On motion of Mr. Warren, the rule of the Senate was dispensed with, and said bill

Read a second time by its title, and

Ordered to be engrossed for a third reading.

Mr. Servant offered for adoption the following resolution, viz:

Resolved by the Senate (the House of Representatives concurring herein,) that the appointment by the Board of Public Works of members of the General Assembly, to offices or salaried appointments, under the Internal Improvement law, is corrupting and demoralizing in its tendency and well calculated to arouse the prejudices of the people against said law.

Resolved, That the appointment of Commissioners, Superintendents and District Clerks, with large and extravagant salaries is unwise and uncalled for. It is therefore recommended to the board to abolish said offices.

Which lies one day on the table.

Mr. Gatewood offered for adoption the following resolution, viz:

Resolved by the Senate (the House of Representatives concurring,) that seventy five cents per thousand ems, for composition, and seventy five cents per token, for press work, be allowed to the public printer for such work as may be executed by

him for the use of the Legislature, in lieu of the sum of sixty two and a half cents as now fixed, which former rate was virtually established by a vote of both Houses at the last Session, but which, from misapprehension of the present law, the public printer has not received."

Which lies one day on the table.

Mr. Gatewood asked and obtained leave to introduce a bill for

"An act to provide for the binding of the Laws and Journals of the State;"

Which was read, and

Ordered to a second reading.

On motion

The Senate adjourned.

MONDAY, July 17th, 1837.

The Senate met pursuant to adjournment.

Mr. Turney from the select committee to which was referred the bill entitled

"An act to incorporate the town of Jerseyville,"

Reported the same back without amendment.

Ordered to be engrossed for a third reading.

Mr. Warren from the select committee to which was referred the bill entitled

"An act appropriating the residue of the Vermillion Saline Land, to the counties of Iroquois and Vermillion, for the building bridges across the Iroquois and Big Vermillion River,

Reported the same back without amendment.

Ordered to be engrossed for a third reading.

Mr. Vance from the select committee to which was referred the bill entitled

"An act to suspend for a limited time certain laws in relation to the Banks in this State."

Reported the same back with an amendment;

Which was read, and

On motion of Mr. Thomas, amended by adding to the third section the following, viz:

"And the provisions of this section shall apply as well to notes heretofore issued as to notes which may hereafter be issued."

The amendment as amended was then concurred in; and

On the question. Shall the bill pass as amended? It was decided in the affirmative: Ayes 25. Noes, 10.

Those voting in the affirmative, are

Messrs. Allen of McLean, Borough, Browning, Butler, Edwards, Gatewood, Hamlin, Mills, Mitchell, Moore, Murray, O'Rear, Owen, Parrish, Pruyn, Reilley, Ross, Servant, Thomas, Vance, Warren, Whiteside, Wight and Wood.

Those voting in the negative, are

Messrs. Allen of Green, Craig, Hacker, Lane, Maxwell, Noel, Stadden, Turney, Weatherford and Mr. Speaker.

Ordered that the title be as aforesaid and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

On motion of Mr. Ross the resolution heretofore laid on the table, relative to the adjournment of the two Houses *sine die*, was taken up; and

On motion of Mr. Hacker, amended by striking out the 24th instant, and inserting the 22d instant in lieu thereof, and said Resolution was adopted as amended.

Ordered that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Warren from the select committee to whom was referred the bill for

"An act to locate a State Road from Shelbyville, in Shelby county;"

Reported the same back to the Senate with an amendment, Which was read and concurred in, and

Ordered to be engrossed for a third reading.

The amendment of the House of Representatives, to the resolution of the Senate having for its object the appointment of a joint select committee to enquire into the number and names of the Officers, Engineers and Agents appointed under

"An act to establish and maintain a general system of Internal Improvements, their duties salaries &c., the amount of moneys expended under said bill," &c.

Was read and

On the question upon the concurrence with the House on said amendment, was decided in the affirmative. Ayes, 25. Noes, 0.

Those voting in the affirmative, are

Messrs. Allen of Green, Allen of McLean, Borrough, Browning, Butler, Craig, Edwards, Fletcher, Gatewood, Hackelton, Hacker, Hamlin, Herndon, Lane, Maxwell, Mills, Mitchell, Moore, Murray, Noel, O'Rear, Owen, Parrish, Pruyn, Reilly, Ross, Servan, Stadden, Vance, Warren, Weatherford, Whiteside, Wight, Wood and Mr. Speaker:

Ordered that the Secretary inform the House of Representatives thereof.

A message from the House of Representatives by Mr. Flood, their clerk *pro tem*.

Mr. SPEAKER:

The House of Representatives have concurred with the Senate in the adoption of the resolution from the Senate having for its object the adjournment of both Houses on the 22d instant at 8 o'clock A. M. *sine die*.

They have passed bills of the following titles, viz:

"An act in relation to the county of Cass," and

"An act to locate certain roads therein named."

In the passage of which bills they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of the bill entitled

"An act to extend the corporate powers of the president and trustees of the town of Springfield,"

And he withdrew.

The bill from the House of Representatives entitled

"An act legalizing the location of the State Road from Knoxville to New Boston;"

Was read a third time and passed.

Ordered that the title of the bill be as aforesaid, and

That the Secretary inform the House of Representatives thereof.

The engrossed bills of the following titles, viz:

"An act to relocate the county seat of Calhoun county;"

"An act to amend an act entitled an act to extend the corporate powers of the town of Peoria, approved Feb. 21, 1837;"

"An act to locate a State Road in Vermillion county;"

"An act entitled an act to amend an act concerning Justices of the peace and Constables, approved February 13th 1827, approved January 23rd 1829;"

"An act to change the terms of the Courts in the 3d Judicial Circuit;"

"An act to relocate a state road leading from Shelbyville to Springfield;"

"An act supplemental to an act to locate a state road from Hardy Foster's, in Marion county, to Shelbyville, in Shelby county;" and

"An act for the benefit of Vesty Adaline Martin;"

Were severally read a third time, and passed.

Ordered, That the titles of said bills be respectively as aforesaid, and

That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The engrossed bill entitled

"An act further supplemental to an act to establish and maintain a system of Internal Improvements,"

Was read a third time, and

On motion of Mr. Hacker, laid on the table.

The engrossed bill entitled

"An act relative to the duty of county Treasurers and Sheriffs,"

Was read a third time, and

On motion of Mr. Noel, referred to a select committee.

Ordered, That Messrs. Noel, Thomas, and Murray, be that committee.

The engrossed bill entitled

"An act to incorporate the City of Alton,"

Was read a third time, and

On motion of Mr. Thomas, amended by adding thereto the following section, viz:

Sec. 39. Nothing contained in this act shall authorize the Corporation to levy, assess, or collect any tax or imposition of any kind whatever upon any property owned by the State.

The question recurring upon the passage of said bill as amended, it was

Decided in the affirmative—Ayes, 27; Noes, 3.

Those voting in the affirmative, are

Messrs. Allen of Green, Allen of McLean, Borough, Browning, Butler, Craig, Edwards, Fletcher, Gatewood, Hacker, Hamlin, Maxwell, Mills, Mitchell, Moore, O'Rear, Owen, Pruyn, Reilly, Servant, Stadden, Vance, Warren, Whiteside, Wight, Wood, and Mr. Speaker.

Those voting in the negative, are

Messrs. Lane, Parrish, and Thomas.

Ordered, That the title of the bill be as aforesaid, and

That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The bill for

"An act to locate a State Road from or near George R. Logan's, to Tecumseh, in White county," was

Read a second time, and

Ordered to be engrossed for a third reading; and

On motion of Mr. Thomas the rule of the Senate was dispensed with, and said bill was

Read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and

That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The bill entitled

"An act to locate certain state roads,"

Was read a second time, and

Ordered to be engrossed for a third reading.

The bill for

"An act to incorporate the town of Danville,"

Was read a second time, and

On motion of Mr. Vance,

Referred to a select committee.

Ordered, That Messrs. Vance, Mills, and Wood, be that committee.

The bills for

"An act to provide for certain contingencies," and for

"An act concerning the canal lands,"

Were severally read a second time, and

On motion of Mr. Thomas,

Referred to the committee on canals and canal lands.

The bill for

"An act concerning the county of Livingston,"

Was read a second time; and

On motion of Mr. Thomas,

Referred to a select committee.

Ordered, That Messrs. Thomas, Stadden, and Vance, be that committee.

The bill for

"An act to provide for the binding of the Laws and Journals of the State,"

Was read a second time, and

On motion of Mr. Hacker,

Referred to a select committee.

Ordered, That Messrs. Hacker, Gatewood, and Servant, be that committee.

The resolution heretofore introduced by Mr. Fletcher relative to the United States Bank, was

On motion of Mr. Fletcher,
Withdrawn.

The resolution heretofore introduced by Mr. Servant relative to the appointments by the board of public works,

Was read, and

On motion of Mr. Gatewood,

Referred to the Committee on Internal Improvements.

The resolution heretofore introduced by Mr. Gatewood, to correct a misapprehension in relation to the prices received for printing by the public printer,

Was read, and

On motion of Mr. Thomas,

Said resolution was referred to the committee to which was referred the bill on the same subject.

The bill from the House of Representatives, entitled
"An act to re-establish a certain road therein named,"

Was read, and

Ordered to a second reading.

The bill from the House of Representatives, entitled
"An act to relocate a part of a state road in Edgar county,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Noel,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Referred to a select committee.

Ordered, That Messrs. Noel, Warren, and Allen of Greene, be that committee.

The bill from the House of Representatives, entitled
"An act to vacate certain town plats,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Edwards,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled
"An act to change the name of the town of Centreville,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Maxwell,

The rule of the Senate was dispensed with, and
Said bill read a second time by its title, and
Ordered to a third reading.

The bill from the House of Representatives, entitled
"An act for the purposes therein named,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Pruyne,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled

"An act to amend an act entitled an act to incorporate the
town of Carlinville, approved March 4th, 1837,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Borough,

The rule of the Senate was dispensed with, and said bill

Was read a second time by its title; and

On motion of Mr. Weatherford,

Referred to a select committee,

Ordered, That Messrs. Weatherford, Borough, and Turney
be that committee.

The bill from the House of Representatives, entitled

"An act to establish a State road from Beardstown in Cass
county, to Petersburg in Sangamon county,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and said bill

Was read a second time by its title; and

On motion of Mr. Weatherford,

Referred to a select committee.

Ordered, That Messrs. Weatherford, Herndon, and Maxwell,
be that committee.

The bill from the House of Representatives, entitled

"An act to change the names of Thomas Jefferson Landers
and Francis Hood,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Wood,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled
 "An act to change a State road leading from Rushville to
 Carthage,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Maxwell,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Ordered to a third reading.

The resolution from the House of Representatives, relative
 to the distribution of the unbound acts of Congress by the
 Secretary of State,

Was read, and

On motion of Mr. Thomas,

Amended by striking out "five" and inserting in lieu there-
 of "ten;" and

On motion of Mr. Hacker,

Referred to a select committee.

Ordered, That Messrs. Hacker, Thomas, and Hamlin, be
that committee.

The resolution from the House of Representatives relative
 to the electors, at their next general election for Representa-
 tives, voting for or against a Convention to amend the Consti-
 tution of this State,

Was read, and

On motion of Mr. Hacker,

Laid on the table.

The bill from the House of Representatives, entitled
 "An act in relation to the county of Cass,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Referred to a select committee.

Ordered, That Messrs. Thomas, Weatherford, and Mills,
be that committee.

The bill from the House of Representatives, entitled
 "An act to locate certain roads therein named,"

Was read, and

Ordered to a second reading; and

On motion of Mr. O'Rear,

The rule of the Senate was dispensed with, and
 Said bill was read a second time by its title, and
 On motion of Mr. O'Rear,
 Referred to a select committee.

Ordered, That Messrs. O'Rear, Fletcher, and Owen, be that committee.

On motion of Mr. Pruyne,

The bill for "An act to provide for the sale of certain Canal lands, and for other purposes," which was laid on the table,

Was taken up, and

On motion of Mr. Pruyne, was

Referred to the committee on Canals and Canal Lands.

On motion of Mr. Hacker,

The bill for "An act further supplemental to an act, to establish and maintain a system of Internal Improvements," which was laid on the table,

Was taken up, and

The question being put on the passage of said bill, it was
 Decided in the negative—Ayes 16, Noes 17.

Those voting in the affirmative, are

Messrs. Allen of Greene, Allen of McLean, Gatewood, Hackelton, Hacker, Mitchell, Noel, Owen, Parrish, Pruyne, Reilley, Stadden, Vance, Warren, Wight, and Wood.

Those voting in the negative, are

Messrs. Borough, Browning, Butler, Craig, Edwards, Hamlin, Lake, Maxwell, Moore, Murray, O'Rear, Ross, Servant, Thomas, Turney, Weatherford, and Mr. Speaker.

The Speaker announced that the communication heretofore received from the Governor was on Executive business, and thereupon

The doors were closed.

And on opening the doors,

On motion

The Senate adjourned.

TUESDAY, July 18th, 1837.

The Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Flood, their Clerk pro tem.

MR. SPEAKER:

The House of Representatives have passed bills of the following titles, to wit:

"An act to locate a state road from East Nelson, in Shelby county, to LeRoy, in McLean county;"

"An act concerning Calvin's Slough;"

"An act concerning the town of Cincinnati, in the county of Tazewell;"

"An act to change part of a state road running from Vandalia to Jacksonville;"

"An act for publishing and distributing the reports of the Supreme Court of this State;"

"An act concerning a state road in Edwards county;"

"An act changing a certain state road."

In the passage of which several bills they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of the following bills, to wit:

"An act to repeal an act in relation to schools in township thirty-nine north, range fourteen east;"

"An act to locate a state road in Vermilion county;"

"An act to legalize processes in the Circuit Courts of this State."

"An act to amend an act to change the name of Watson James Filley, approved 16th January, 1837;"

An act to locate a state road from Apanoose, in Hancock county, to the Drowning Fork of Crooked creek, in McDonough county, and to vacate part of a state road;"

"An act to locate a State road therein named;"

"An act to amend an act incorporating the Kaskaskia Bridge Company;"

A bill for "An act to authorise John Green and William Stadden to build a toll bridge across Fox river;"

"An act to amend an act entitled an act to extend the corporate powers of the town of Peoria," approved February 21st, 1837.

And he withdrew.

A message from the Governor by Mr. Field, Secretary of State:

Mr. Speaker:

I am directed by the Governor to lay before the Senate, a communication in writing.

And he withdrew.

Mr. Thomas, from the committee on Canals and Canal Lands to which was referred the petitions of sundry citizens of the State, residing upon and cultivating canal lands, made the following REPORT; to wit:

The petitioners ask, that the lands, occupied by them, shall be valued, and also the improvements thereon, and that the owners of the improvements be allowed the right to purchase the lands improved at valuation, or in case they do not purchase, that they be allowed the value of their improvements out of the proceeds of sales. Upon this state of law the question is presented, Will the State pay individuals for improvements made upon canal lands contrary to law? Settlements upon canal lands have not only always been discouraged by the course of legislation, but laws have been enacted expressly prohibiting those settlements. At an early period, and before any valuable improvements could have been made upon those lands, public notice was given by the canal commissioners, that settlements upon those lands would be regarded as trespasses; and those living upon them were advised to remove, and all further settlements forbidden.— Whether this notice ever reached any of the present settlers upon canal lands, or not, is unknown to the committee, nor can that fact be material in the decision of the question under consideration: the State always acts with reference to individuals upon the presumption that its laws are known. There never has been any law authorizing, permitting, or encouraging settlements upon canal lands; and those who settled upon them must be charged with a knowledge that the act of settlement was without authority of law; and if persons were disposed to settle and improve those lands, without the consent and contrary to the will of the State, they cannot contend with any sort of propriety or reason, that the State is bound to pay for those improvements. It is a principle universally adopted in courts of law and equity, that no man has a right to make another his debtor without his consent either expressed or implied, and no reason is perceived, why this principle should not be adopted with a reference to the State. It is the principle upon which the United States have acted with reference to the public lands; and although exceptions have been made by Congress in the passage of pre-emption laws, yet that exception never was made to extend to allowing settlers upon the public lands pay for their improvements. Besides, the reason which operated upon Congress to induce

the passage of those laws, do not exist in reference to the canal lands.

The United States desired to encourage the settlement of its lands, and to hasten their disposal. The policy of the State has been to withhold from market the canal lands, and to sell them at a time and in the manner to produce the largest amount of money. The State has engaged, in consideration of the grant of those lands, to construct the canal, and the people expect the Legislature to pursue such a policy, with reference to the disposition of the lands granted, as will be best calculated to relieve them from any burthen in the construction of the canal; and all of the legislation on the subject shows a determination on the part of the State to carry out this policy.

A policy pursued, and approved of by the great body of the people, upon a question affecting such vast interest, and persevered in for a series of years, ought not for the convenience or emolument of a few to be departed from, to the prejudice of the State. The State cannot be charged with acting unjustly, or with the view of profiting by the labor of individuals, because those individuals have always known that they were acting contrary to its will.

If the State ever had authorised or encouraged settlements upon canal lands, there might be some reason for granting the relief asked for, but even in that case, every principle of justice and equity would require, that the occupants of the lands should deduct from the value of the improvements the amount of all damages committed, and a reasonable compensation for the use of the land; but the State never has acted in this manner, and does not, therefore, come within the reason or spirit of the rule.

The long established rule of equity as between individuals in reference to improvements upon lands is, that when a man settles upon land under color of title, believing the land to be his own, and having no notice of the existence of any better title, makes improvements which add to the value of the land, he is entitled to compensation for those improvements, and is bound to pay rents from the time of being notified of the better title, and also to pay damages for injuries committed. If this rule be applied to the settlers upon canal lands, what must be the result? They have gone upon the land knowing that they had no title, and knowing also they were acting contrary to the will and policy of the State as declar-

ed by its legislation. The bare presentation of the question is sufficient: common sense answers that they are not entitled to relief? The petitioners complain of the severity of a law which prescribes terms upon which they may remain upon the canal lands. That law provides, in substance, that persons living upon or cultivating canal lands may continue their possessions free of rent, upon condition that they will commit no trespass, and surrender their possessions, when required by the State. The State had an undoubted right to prescribe the terms upon which she would permit those lands to be occupied; and if those terms were not satisfactory, the occupants could remove; but it cannot be admitted that the terms are unreasonable. It would require but a short time for a settler to realize the value of his improvements by the cultivation of the soil, and a still shorter time would be required to enable the tenant, if disposed to act with bad faith, to reduce the value of the land, more than his improvements could possibly increase it; the State cannot, from the nature of the case, direct the kind of improvements to be made by the occupants, or the mode or manner of its cultivation. The State risks all damage which may arise from bad husbandry and bad arrangements, as to the form, place, and manner of making the improvements. The occupant may so place the improvements, or he may so injure the soil by bad husbandry, that no person would pay as much for the land with the improvements as it would sell for in a state of nature,—the constant policy of the State having been to discourage settlements and improvements upon canal lands. It ought not to be expected by those who have made improvements, that the State will now submit to terms proposed by them. If they desire to treat with the State upon the subject of those improvements, it would seem to be more consistent with reason, and with their relation to the State, that they should accept of terms proposed, than that the State should be called upon and required to submit to terms prescribed by them.

Acting upon the presumption that the State will always do right in reference to its citizens, the settlers upon canal lands, upon submitting to terms proposed, might at a proper time appeal with success to the liberality of the State for relief. When, if the appeal was predicated upon a claim of right, it might and most probably would be rejected.

The committee are advised that many of the settlers upon canal lands, have refused to submit to the law, and some of

them have declared in effect an intention to resist its execution. Such a course of conduct can have no other effect than to create a prejudice against any application to the justice or liberality of the State in their behalf; and although it can hardly be supposed that any good citizen would be found resisting the laws of the country, it is but reasonable to suppose that these threats are but the result of momentary excitement, produced by false information, and not indicating any settled and fixed determination to resist the laws. Yet any action on the part of the State at this time, and under these circumstances, might be construed into an acknowledgment that the complaints are well founded, or that the petitioners have a right to place the State upon terms, and for this reason it would be improper to recommend or suggest any measure in behalf of the petitioners at this time. The State has the power to protect its property, and if any residents or citizens of the State should be found unwilling to submit to the laws, or disposed to resist their execution, measures ought to be adopted to enforce the laws and maintain the just authority of the State. A majority of your committee are of opinion for the reasons herein stated, that the prayer of the petitioners ought not to be granted, and therefore ask to be discharged from the further consideration of the petition.

Which was read, and

On motion of Mr. Thomas,

Said Committee was discharged from the further consideration of said petition.

Mr. Weatherford, from the select committee to which was referred the bill from the House of Representatives, for

"An act to amend an act entitled an act to incorporate the town of Carlinville," approved March 4, 1837,"

Reported said bill back with an amendment;

Which was read and concurred in, and said bill was

Ordered to a third reading as amended.

Mr. Noel from the select Committee to which, was

Referred the engrossed bill for

"An act relative to the duty of county Treasurers and Sheriffs,"

Reported said bill back with an amendment,

Which was read, and

Concurred in, and said bill was

Passed as amended.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Borough, from the select committee to which was referred a bill for

"An act in relation to certain Public Roads therein named,"

Reported said bill back with an amendment,

Which was read, and

Concurred in, and said bill was

Ordered to be engrossed for a third reading as amended.

Mr. Servant, from the select committee to which was referred the bill for

"An act for the relief of Nathaniel Pope, and others,"

Reported the same back with an amendment,

Which was read, and

Concurred in, and said bill was

Ordered to be engrossed for a third reading as amended.

Mr. Noel, from the select committee to which was

Referred the bill from the House of Representatives, for

"An act to relocate a part of a state road in Edgar county;"

Reported said bill back without amendment; which was

Ordered to a third reading.

On motion of Mr. Noel, the rule of the Senate was dispensed with, and said bill was

Read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Weatherford, from the select committee to which was referred the bill from the House of Representatives, for

"An act to establish a state road from Beardstown, in Cass county, to Petersburg, in Sangamon county,"

Reported said bill back without amendment.

Ordered to a third reading, and

On motion of Mr. Weatherford, the rule of the Senate was dispensed with, and said bill was

Read a third time by its title and passed.

Ordered, That the title be as aforesaid and that the Secretary inform the House of Representatives thereof.

Mr. O'Rear from the select committee to which was referred the bill from the House of Representatives, for

"An act to locate certain Roads therein named,"

Reported said bill back with an amendment;

Which was read, and concurred in, and said bill was

Ordered to a third reading; and

On motion of Mr. O'Rear, the rule of the Senate was dispensed with, and said bill was

Read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence to the amendment of the Senate thereto.

Mr. Maxwell, from the select committee to which was referred the petition of sundry citizens of Schuyler, McDonough, and Sangamon counties, praying for a road, &c.,

Reported a bill for

"An act to locate a State road from Petersburg, in Sangamon county, to Macomb, in McDonough county,"

Which was read, and

Ordered to a second reading; and

On motion of Mr. Maxwell,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Ordered to be engrossed for a third reading. and

On motion of Mr. Maxwell,

The rule of the Senate was further dispensed with, and

Said bill was read the third time by its title,

And passed.

Ordered, That the title of the bill be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Stadden, from the select committee to which was referred the bill for

"An act for the purposes therein named,"

Reported said bill back with an amendment;

Which was read, and

Concurred in; and

Said bill was

Ordered to be engrossed as amended for a third reading;

Mr. Stadden, from the select committee to which was referred a bill for

"An act to establish the county seat of the county of De Kalb,"

Reported said bill back with an amendment;

Which was read and concurred in.

Ordered to be engrossed as amended for a third reading;

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and
Said bill was read a third time by its title, and passed.

On motion of Mr. Stadden,

The title of the bill was so amended as to make it "An act to incorporate the town of Ottawa, and for other purposes."

Ordered, That the title of the bill be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. Servant,

The vote on the passage of the bill for

"An act further supplemental to an act to establish and maintain a general system of Internal Improvements,"

Was reconsidered;

Thereupon,

The question recurring upon the passage of the bill,

It was decided in the affirmative—Ayes 20, Noes 17.

Those voting in the affirmative, are

Messrs. Allen of Green, Allen of McLoan, Bond, Fletcher, Gatewood, Hackelton, Hacker, Herndon, Mills, Mitchell, Noel, Owen, Parrish, Pruyn, Reilly, Stadden, Vance, Warren, Wight, and Wood.

Those voting in the negative, are

Messrs. Borough, Butler, Craig, Edwards, Lane, Maxwell, McLaughlin, Moore, Murray, O'Rear, Ross, Servant, Thomas, Turney, Weatherford, Whiteside, and Mr. Speaker.

Mr. Stadden, from the select committee to which was referred the bill for

"An act to attach the county of Livingston to the Seventh Judicial Circuit,"

Reported said bill back with an amendment;

Which was read and concurred in, and said bill was

Ordered to be engrossed for a third reading as amended.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and

Said bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Mitchell, from the select committee to which had been referred the bill for

"An act for the purposes therein named,"

Reported the same back with an amendment;

Which was read.

Mr. Hacker moved to amend said amendment, by striking out "fifty cents;"

Which was not agreed to.

The question recurring upon the amendment reported by the committee;

It was decided in the affirmative, and said bill

Ordered to be engrossed as amended for a third reading.

The Speaker laid before the Senate the following communication from the Governor, to wit: the accompanying documents therein referred to.

EXECUTIVE DEPARTMENT, }
Vandalia, July 18th, 1837. }

To the Senate and House of Representatives:

I have the honor to submit for your consideration the enclosed quarterly report of the Board of Commissioners of the Illinois and Michigan Canal. I am assured by the Board that this is the earliest moment that the report could have been furnished, and although your session is near its close, I hope the suggestions it contains may receive that attention which their importance demands.

I have the honor to be,

Your obedient serv't.

JOSEPH DUNCAN.

On motion of Mr. Thomas,

Said communication and accompanying documents, were Referred to the Committee on Canals and Canal Lands.

On motion of Mr. Edwards,

The communication from the Inspectors of the Penitentiary, which was heretofore laid upon the table,

Was taken up, and

On motion of Mr. Edwards,

Ordered, That the Secretary communicate the same to the House of Representatives.

On motion of Mr. Thomas,

The resolution from the House of Representatives, relative to the electors of the State of Illinois voting for or against a Convention to amend the Constitution of this State.

Was taken up, and

On motion of Mr. Turney, laid on the table until July 4th.

Ordered, That the Secretary inform the House of Representatives thereof,

The engrossed bills of the following titles, viz:

"An act to incorporate the town of Jerseyville;"

"An act entitled an act appropriating the residue of the Vermilion Saline Lands, to the counties of Iroquois and Big Vermilion;"

"An act to locate a state road from Shelbyville, in Shelby county;" and

"An act to locate certain state roads;"

Were severally read a third time and passed.

Ordered, That the titles be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The bills from the House of Representatives of the following titles, viz:

"An act to vacate certain Town Plots;"

"An act to change the name of the town of Centreville;"

"An act for the purposes therein named;"

"An act to change the names of Thomas Jefferson Sanders, and Francis Hood;"

"An act to change a state road leading from Rushville to Carthage;"

Were severally read a third time and passed.

Ordered, That their titles be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, for

"An act to re-establish a certain Road therein named,"

Was read a second time, and

Ordered to a third reading; and

On motion of Mr. Fletcher, the rule of the Senate was dispensed with, and said bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled

"An act for publishing and distributing the Reports of the Supreme Court of this State,"

Was read, and

Ordered to a second reading.

On motion of Mr. Thomas, the rule of the Senate was dispensed with, and said bill

Read a second time by its title.

Referred to the Committee on the Judiciary.

The bill from the House of Representatives, entitled

"An act changing a certain State Road,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Servant, the rule of the Senate was dispensed with, and said bill was

Read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled

"An act concerning Calvin Slough,"

Was read, and

Ordered to second reading; and

On motion of Mr. Allen of Green,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Referred to a select committee.

Ordered, That Messrs. Allen of Green, Turney, and Fletcher, be that committee.

The bill from the House of Representatives, entitled

"An act concerning the town of Cincinnati, in the county of Tazewell,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Mitchell,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled

"An act to locate a State road from East Nelson, in Shelby county, to Le Roy, in McLean county;"

Which was read, and

Ordered to a second reading; and

On motion of Mr. Servant,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Ordered to third reading.

The bill from the House of Representatives for

"An act to change a part of the State road running from Vandalia to Jacksonville,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Ordered to a third reading; and

On motion of Mr. Weatherford,

The rule of the Senate was further dispensed with, and

Said bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled
 "An act concerning a State road in Edwards county,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Mills,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Referred to a select committee.

Ordered, That Messrs. Mills, Reilly, and Lane, be that committee.

Mr. Hackelton, from the Committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles, to wit:

"An act concerning public roads;"

"An act to incorporate the Illinois Female Institute;"

"An act forming an additional justice's district in the county of Randolph;"

"An act legalizing the location of the State road from Knoxville to New Boston."

Mr. Hackelton, from the same committee, afterwards reported that said bills were on this day laid before the Council of Revision.

Mr. Thomas, from the Committee on the Judiciary, to which was referred the bill for

"An act concerning practice in courts of law, approved 29th February, 1827,"

Reported the said bill back without amendment.

Ordered to a third reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and said bill was read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof,

And ask their concurrence therein.

On motion,

The Senate adjourned.

WEDNESDAY, JULY 19, 1837.

The Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Flood their Clerk.

MR. SPEAKER:

The House of Representatives have passed bills of the following titles, viz:

"An act to amend an act concerning process, approved February 25th, 1837, and for other purposes;"

"An act to locate a state road from Alton to Elias Gwinn's;"

"An act for the relief of James H. Weisner;"

"An act authorizing the Clerks of the county Commissioners Court to list certain Lands;"

"An act to amend an act to incorporate the Chicago and Fox River Turnpike Road Company, approved March 1st, 1837;

"An act to change part of a Road therein named;"

"An act to legalize certain terms of the Circuit Courts, in the several Judicial Circuits;"

"An act concerning the Public Revenue;"

"An act legalizing the incorporation of the town of Beardstown;" and

"An act for the relief of Mary Evans;"

In the passage of which several bills they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of the bills, entitled

"An act to relocate a part of the State Road leading from Maysville to Shelbyville;" and

"An act to locate a State Road from or near George R. Logan's, to Tecumseh, in White county;"

And he withdrew.

Mr. Browning, from the Committee on the Judiciary to which was referred the bill for

"An act in relation to Garnishees,"

Reported the same back without amendment, and on the question shall the bill be engrossed for a third reading?

It was decided in the negative.

Mr. Thomas, from the committee on Canals and Canal Lands, to which was referred the bill for

"An act concerning the Canal Lands;"

Reported said bill back with an amendment,

Which was read, and concurred in, and

Ordered to be engrossed as amended for a third reading.

Mr. Gatewood, from the committee on Internal Improvements, reported the following memorial and resolutions, to wit:

To the Congress of the United States of America,

The memorial of the Legislature of the State of Illinois, respectfully represents, That at a former session of this Legislature, they adopted, by a large majority, a system of Internal Improvements throughout the State, embracing one grand central "Rail Road," from Galena to the mouth of the Ohio River, together with various other Rail Roads, traversing the State in several directions, communicating with the great rivers, and pointing to other projected improvements in other States, in all constituting a line of Rail Roads exceeding a thousand miles, the average cost of which is estimated as less than seven thousand dollars per mile.

Your memorialists would further represent, that although there is nothing of novelty in the undertaking, and that no new argument can be urged in favor of this adoption, farther than the peculiar adaption of the country for the construction of such works, owing to its generally level surface; yet, they feel dispassionately confident of success.

This State is yet in its infancy, but from the rapid increase of population and wealth, it promises soon to realize the anticipations of its citizens. The system which it has adopted needs to some extent, however, the sanction of the General Government, and its aid, and from the attention which an application of a private company for "right of way," and grants of land, has heretofore received, they feel confident that a similar application from the State, would receive not less attention.

Your memorialists are confident that a true and correct representation of these matters by our Representatives in Congress, cannot fail to have their due weight, and will doubtless influence the Congress to adopt some plan by which the sale of the public lands will be ensured and the people generally benefitted.

The general Government has heretofore viewed the construction of the Illinois and Michigan Canal, as a National work, and appropriated large amounts in lands to the construction thereof. The State entered with boldness into that grand design, and pledges itself to the prosecution of the work; although the cost far exceeds all reasonable anticipation, they

are determined to pursue it on the most practicable plan. It is true they consider themselves the mere agents of the Government of the United States—yet, they have the confidence that that government will comply with its implied pledges entered into to guaranty the work.

But while the energies of the State is directed to this object they are not to be confined in its enterprises to the construction of one hundred miles of Canal benefitting but a small portion of the State, they have taken a more extended view, and adopted a more liberal system than indicated by the "Internal Improvement act" of last session, and although it is superficially extensive it is confidently believed that it will not cost more to construct all the works indicated by the act than it will to complete the Canal; yet, no invidious comparisons are made. It is the ardent wish, that the two works should harmonize together, and proceed with an equal pace—each equally receiving the fostering aid of the State, and general Government. No true friend of the prosperity of Illinois is in favor of overturning the one and promoting the other of these projects, because it would equally prostrate both the Canal and the Internal Improvement system, being in the same state, affected by the same laws, and advancing the interest of the same people, are of a social disposition, and will flourish best by the mutual protection of each other.

Your memorialists therefore pray your honorable body, to grant to the State the right of way over the public lands for the several routes indicated by the internal improvement act, and also to grant to the State the right to purchase any quantity of lands along the routes of the several rail roads, at a credit of ten years, without interest, not exceeding five hundred thousand acres, or to grant to the State without sale or price such quantity.

They also further pray that Congress in order to carry out the design of the General Government more fully of completing the construction of the "Illinois and Michigan Canal," would grant such a quantity of land bordering on said Canal, or elsewhere, as will be sufficient to complete said work, upon condition that it may be needed, and upon the further condition that the State will guaranty the faithful application of the means hereby asked.

Resolved by the Senate and House of Representatives, That our Senators and Representatives in Congress, be requested to use all means in their power to procure the passage of a

law of Congress to authorize the State of Illinois, by and through the Commissioners of Public Works, to enter lands along the several routes of Rail Roads and other improvements contemplated by the "Act to establish and maintain a general system of Internal Improvements," on a credit of ten years.

Resolved, That our Senators and Representatives be also requested to procure the passage of a further provision grant to the State the right of way over the lands owned by the General Government within this State, to construct the projected works of Internal Improvement.

Whereas, The Illinois and Michigan Canal has been looked upon as a national work, and grants of land from the General Government have been made to commence the same;

Resolved, That our Senators and Representatives be requested to procure the passage of a law by Congress granting to this State further means to complete said work, upon such conditions as the Congress of the United States shall order and direct.

Which was read; and

On the question upon the adoption of said memorial and resolutions,

It was decided in the affirmative.—Ayes 34. Noes 2.

Those voting in the affirmative, are

Messrs. Allen of Green, Allen of McLean, Bond, Borough, Craig, Edwards, Fletcher, Gatewood, Hackelton, Hacker, Hamlin, Herndon, Maxwell, Mills, Mitchell, Moore, Murray, Noel, O'Rear, Owen, Parrish, Pruyn, Reilly, Ross, Stadden, Thomas, Vance, Warren, Weatherford, Whiteside, Wight, Wood, and Mr. Speaker.

Those voting in the negative, are

Messrs. Lane and Servant.

Ordered, That the Secretary inform the House of Representatives of the adoption of said memorial and resolutions, and ask their concurrence therein.

Mr. Gatewood, from the Committee on Internal Improvements, to which was referred the bill for

"An act to suspend proceedings under the act to establish and maintain a general system of Internal Improvements, and for other purposes,"

Reported said bill back with an amendment;

Which was read and concurred in.—Ayes 24. Noes 13.

Those voting in the affirmative, are

Messrs. Allen of McLean, Bond, Edwards, Fletcher, Gate-

wood, Hackelton, Hacker, Hamlin, Herndon, Mills, Mitchell, Moore, Murray, Neel, Owen, Parnish, Pruyne, Reilley, Servant, Stadden, Vance, Warren, Wight and Wood.

Those voting in the negative, are

Messrs. Allen of Green, Borough, Browning, Butler, Craig, Lane, Maxwell O'Rear, Ross, Thomas, Weatherford, White-side and Mr. Speaker.

Ordered to be engrossed as amended for a third reading.

Mr. Pruyne asked and obtained leave to present the petition of sundry citizens of McHenry county, praying the formation of a new county;

Which was read; and

On motion of Mr. Ross,

Laid on the table.

Mr. Servant, from the select committee to which was referred the bill for

"An act for the purposes therein mentioned;"

Reported said bill back with an amendment;

Which was read and concurred in.

Ordered, That said bill be engrossed as amended for a third reading.

Mr. Allen of Green, from the select committee to which was referred the bill from the House of Representatives, entitled

"An act concerning Calvin's Slough,"

Reported said bill back with an amendment;

Which was read and concurred in.

Ordered to a third reading as amended.

A message from the House of Representatives, by Mr. Flood, their Clerk pro tem.

MR. SPEAKER:

The House of Representatives have concurred with the Senate in the passage of the bill, entitled

"An act to incorporate the City of Alton,"

As amended by them;

In which amendment they ask the concurrence of the Senate.

They have passed a bill, entitled

"An act to incorporate the Alton Ferry Company;"

In the passage of which, they ask the concurrence of the Senate.

And he withdrew.

Mr. Gatewood, from the Committee on Internal Improvements, to which was referred that part of the Governor's Message, recommending a repeal of the Internal Improvement System, submitted the following report, viz:

That they have had the subject under consideration, not only at the present session of the Legislature, but some time before, and also at the time of the passage of the act which it is recommended to repeal. Your committee can see nothing in the arguments of his Excellency to induce them to change their opinion. They have not come to the conclusion yet that Joint Stock Companies are the best mode of constructing public works.

When we consider the amount of patronage which it is said will be thrown into the hands of the Government by this bill, that the Government constituted by the people, under their control and responsible to them, and compare it with the amount of power and influence which by the joint stock company system will devolve upon private corporations and avaricious individuals; and who too are wholly irresponsible to the people of this Government, and after their creation beyond its control, we cannot hesitate which of the two to choose.

This question we have revolved before, decided in the system adopted, and feel the same dispositions to adhere to it as his Excellency seems to feel to resist it. Our opinions on this subject are mutually unchanged, and we presume, unchangeable.

The creation does not require at our hands an elaborate argument. We are well aware that the system, yet in its infancy, cannot display the beauties of manhood, and is as liable to the strictures of the critic and condemnation of the *amateur*, as the awkward address of youth first entering polished and refined society; but feeling ourselves sustained by every principle of regard to public good, and by the public voice itself, we cannot abandon it to favor an illegitimate offspring, but fervently hope for ultimate perfection.

Owing to the imperfection of all human operations, however wisely planned, there may be errors and imperfections in the commencement, and in the progress of this undertaking, which it will be the duty of those who feel concerned to correct and reform, and it will be their pleasure at all times so to do. But objections from hostile quarters to the execution of the design does not impair our confidence in the wisdom of the design itself. Therefore,

Resolved, That we have undiminished confidence in the practicability and incalculable advantages of the system of Internal Improvement throughout the State as adopted at the last session of the Legislature.

Which was read.

Mr. Gatewood moved to lay said report and resolutions on the table and print one thousand copies.

A division of the question being called for,

The question was then taken on laying said report and resolutions on the table, and

Decided in the affirmative—Ayes 23; Noes 14.

Those voting in the affirmative, are

Messrs. Allen of Green, Allen of McLean, Borough, Browning, Craig, Fletcher, Gatewood, Hackelton, Hamlin, Mitchell, Moore, Murray, Noel, O'Rear, Owen, Pruyn, Stadden, Thomas, Turney, Weatherford, Whiteside, Wight and Wood.

Those voting in the negative, are

Messrs. Bond, Butler, Edwards, Hacker, Lane, Maxwell, Mills, Parrish, Reilley, Ross, Servant, Vance, Warren, and Mr. Speaker.

The question was then taken on printing 1000 copies, which was decided in the affirmative—Ayes, 20,—Noes, 17.

Those voting in the affirmative, are

Messrs. Allen of Green, Bond, Fletcher, Gatewood, Hackelton, Hacker, Mills, Mitchell, Murray, Noel, Owen, Parrish, Pruyn, Reilley, Stadden, Warren, Whiteside, Wight, Wood, and Mr. Speaker.

Those voting in the negative, are

Messrs. Allen of McLean, Borough, Browning, Butler, Craig, Edwards, Hamlin, Lane, Maxwell, Moore, O'Rear, Ross, Servant, Thomas, Turney, Vance, and Weatherford.

Mr. Gatewood, from the select committee to which was referred the bill for

"An act to amend an act, entitled an act to increase the capital stock of certain Banks." &c.

Reported the same back with an amendment;

Which was read, and concurred in,

Ordered, That said bill as amended be engrossed for a third reading.

Mr. Mills, from the select committee to which was referred the bill from the House of Representatives, entitled

"An act concerning a State road in Edwards county,"

Reported said bill back with an amendment;

Which was read and concurred in.

Ordered, That said bill as amended be read a third time:

On motion of Mr. Mills,

The rule of the Senate was dispensed with, and

Said bill was read a third time by its title, and passed.

Ordered, That the title of the bill be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence to the amendment thereto.

The bill from the House of Representatives, entitled

"An act to amend an act to incorporate the town of Carlinville, approved 4th, March 1837;"

Was read a third time as amended, and passed.

On motion of Mr. Weatherford,

The title was amended by adding thereto the words "and for other purposes."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence in the amendments of the Senate thereto, and to the title thereof.

The bill from the House of Representatives, entitled

"An act concerning the town of Cincinnati, in the county of Tazewell,"

Was read the third time; and

On motion of Mr. Mitchell,

Referred to a select committee.

Ordered, That Messrs. Mitchell, Wight, and Pruyn, be that committee.

The bill from the House of Representatives, entitled

"An act to locate a State road from East Nelson, in Shelby county, to LeRoy, in McLean county,

Was read the third time, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The engrossed bills of the following titles, viz:

"An act in relation to certain public roads therein named," and

"An act for the relief of Nathaniel Pope and others,"

Were severally read the third time, and passed.

Ordered, That the title of said bills be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage thereof, and ask their concurrence therein.

The engrossed bill entitled

"An act for the purpose therein named,"

Was read the third time, and passed.

Ordered, That the title of said bill be as aforesaid; and

On motion of Mr. Owen,

The vote upon the title of said bill was reconsidered.

Mr. Lane moved that the vote upon the passage of said bill be reconsidered.

Which was decided in the negative.

On motion of Mr. Owen,

The title of said bill was amended so as to make it "an act to increase the compensation to county commissioners."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The engrossed bill entitled

"An act for the purposes therein named,"

Was read the third time, and passed.

On motion of Mr. Stadden,

The title of said bill was so amended as to make it

"An act to alter the town plat of Geneva, and for other purposes."

Ordered, That the title of the bill be as amended, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

The bill from the House of Representatives, entitled

"An act changing a certain State road,"

Was read the third time, and

On motion of Mr. Ross,

Referred to a select committee.

Ordered, That Messrs. Ross, Servant, and Butler, be that committee.

Mr. Turney, from the Committee on the Judiciary, to which was referred the bill for

"An act to amend the act entitled an act declaring what shall be evidence in certain cases," approved 10th January, 1827,"

Reported said bill back without amendment.

Ordered to be engrossed for a third reading.

On motion of Mr. Turney,

The rule of the Senate was dispensed with, and said bill

Was read a third time by its title, and passed.

Ordered that the title be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence therein.

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The bill from the House of Representatives, entitled
 "An act to amend an act concerning process, approved February 25th, 1837, and for other purposes,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Maxwell,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Referred to a select committee.

Ordered, That Messrs. Maxwell, Thomas, and Warren, be that committee.

The bill from the House of Representatives, entitled

"An act for the relief of James A. Weisner,"

Was read, and

Ordered to a second reading.

On motion of Mr. Allen of Greene,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Referred to a select committee.

Ordered, That Messrs. Allen of Green, Thomas, and Turney, be that committee.

The bill from the House of Representatives, entitled

"An act authorising the clerks of the county commissioners court to list certain lands,"

Was read, and

Ordered to a second reading.

On motion of Mr. Owen,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled

"An act to amend an act to incorporate the Chicago and Fox River Turnpike Road Company, approved March 1st, 1837,"

Was read, and

Ordered to a second reading.

On motion of Mr. Pruyn,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Referred to a select committee.

Ordered, That Messrs. Pruyn, Hacker, and Hamlin, be that committee.

The bill from the House of Representatives, entitled

"An act to change part of a road therein named,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Noel,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled

"An act to legalize certain terms of the Circuit Courts in the seventh Judicial Circuit,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Pruyn,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title; and

On the question shall

Said bill be ordered to a third reading,

It was decided in the negative.

The bill from the House of Representatives, entitled

"An act concerning the public revenue,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Owen,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Referred to a select committee.

Ordered, That Messrs. Owen, Fletcher, and Parrish, be that committee.

The bill from the House of Representatives, entitled

"An act legalizing the incorporation of the town of Beards-town,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled

"An act for the relief of Mary Evans,"

Was read, and

Ordered to a second reading.

Mr. Hacker, from the select committee to which was referred the resolution from the House of Representatives, relative to the distribution of the laws of Congress,

Reported he same back with an amendment,
Which was read, and concurred in, and
Said resolution as amended was adopted.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment of the Senate thereto.

Mr. Maxwell, from the select committee to which was referred the bill from the House of Representatives, entitled

"An act to amend an act concerning process, approved February 25th, 1837, and for other purposes,"

Reported the same back without amendment.

Ordered, to a third reading; and

On motion of Mr. Maxwell, the rule of the Senate was dispensed with, and said bill was

Read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Edwards, the bill for

"An act to incorporate the city of Alton,"

And the amendments of the Senate thereto, were laid on the table.

The bill from the House Representatives, entitled

"An act to incorporate the Alton Ferry Company,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Hamlin, the Rule of the Senate was dispensed with, and said bill was

Read a second time by its title, and

On motion of Mr. Maxwell, laid on the table.

A message from the House of Representatives, by Mr. Flood, their clerk.

MR. SPEAKER:

The House of Representatives have passed a bill for

"An act in relation to Justices of the Peace, Constables and county Commissioners;"

In the passage of which they ask the concurrence of the Senate.

And he withdrew. Whereupon,

The bill from the House of Representatives, entitled

"An act in relation to Justices of the peace, Constables, and county Commissioners,

Was read, and

Ordered to a second reading; and

On motion of Mr. Maxwell, the rule of the Senate was dispensed with, and said bill was

Read a second time by its title; and

On motion of Mr. Hacker,

Referred to a select committee.

Ordered, That Messrs. Hacker, Thomas, and Maxwell, be that committee.

On motion of Mr. Thomas,

The vote on the passage of the bill from the House of Representatives, entitled

"An act to legalize certain terms of the Circuit Courts in the seventh Judicial Circuit," was

Reconsidered, and said bill was referred to the Committee on the Judiciary.

On motion

The Senate adjourned.

THURSDAY, July 20th, 1837.

The Senate met pursuant to adjournment.

A message from the House of Representatives by Mr. Flood, their clerk *pro tem*.

MR. SPEAKER:

The House of Representatives have passed bills of the following titles, viz:

"An act to incorporate the Caledonia Rail Road Company;"

"An act in relation to the municipal court of Chicago, and for other purposes;" and

"An act in relation to the Penitentiary."

In the passage of which they ask the concurrence of the Senate.

They have adopted the following resolutions, viz:

Resolved by the House of Representatives, (the Senate concurring herein,) That the Auditor of Public Accounts is hereby authorized and required to audit and settle the accounts of the late Board of Canal Commissioners, and that he report the proceedings had thereon, to the next General Assembly of this State.

In the adoption of which they ask the concurrence of the Senate:

They have concurred with the Senate in the adoption of the resolution making it the duty of the Board of the Public Works appointed under the provisions of "an act to establish and maintain a general system of Internal Improvements, approved Feb. 27th, 1837," to report quarterly to the Governor of the State of Illinois, a statement of the number of Engineers, Officers, Agents, employed by them, the nature of their services, amount of salaries, &c.

And he withdrew.

Mr. Speaker laid before the Senate, the following communication from the Secretary of the Senate, viz:

STATE OF ILLINOIS, AUDITOR'S OFFICE, }
Vandalia, July 14th, 1837. }

To the Hon. the Speaker of the Senate:

Sir:—I hereby resign the office of Secretary of the Senate of the State of Illinois.

Very respectfully, your most obedient servant,
JESSE B. THOMAS, Jr.

Which was read, and
On motion of Mr. Ross,
Laid on the table.

On motion of Mr. Browning,

The Senate then proceeded to an election to fill the vacancy occasioned by the aforesaid resignation.

When, the vote being taken, William Prentiss received thirty-four votes:

Those voting for William Prentiss, are

Messrs. Allen of Green, Allen of McLean, Borrough, Browning, Butler, Craig, Edwards, Fletcher, Hackelton, Hacker, Hamlin, Lane, Maxwell, McLaughlin, Mitchell, Moore, Murray, Noel, O'Rear, Owen, Parrish, Pruyne, Reilly, Ross, Servan', Stadden, Thomas, Turney, Vance, Warren, Weatherford, Whiteside, Wood and Mr. Speaker:

Whereupon William Prentiss, having received all the votes given,

Was declared by the Speaker duly elected Secretary of the Senate, and he accordingly appeared and entered upon the discharge of the duties of his office.

Mr. Turney from the Committee on the Judiciary, to which had been referred the bill for

"An act entitled an act to prohibit the circulation of Bank notes of a less denomination than five dollars,"

Reported the same back with an amendment; which was read and concurred in.

Ordered, That said bill as amended be engrossed for a third reading.

Mr. Hacker, from the select committee to which was referred the bill from the House of Representatives, entitled

"An act to amend an act to incorporate the Chicago and Fox River Turnpike Road Company," approved March 1st, 1837,

Reported said bill back without amendment; which was *Ordered* to a third reading.

Mr. Weatherford, from the select committee to which had been referred the bill from the House of Representatives, entitled

"An act relative to the county of Cass,"

Reported said bill back with sundry amendments, which were concurred in, and said bill as amended, was

Ordered to a third reading.

On motion of Mr. Weatherford,

The rule of the Senate was dispensed with, and

Said bill was read a third time by its title, and passed.

On motion of Mr. Hamlin,

The title of said bill was amended by adding "and Bureau."

Ordered, That the title of the bill be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment of the Senate to said bill, and the title thereof.

Mr. Thomas, from the Committee on the Judiciary, to which was referred the bill from House of Representatives, entitled

"An act to legalize certain terms of the Circuit Court, in the 7th Judicial Circuit;"

Reported said bill back without amendment; which was,

On motion of Mr. Thomas,

Referred to a select committee.

Ordered, That Messrs. Thomas, Weatherford, and Butler, be that committee.

Mr. Craig, from the select committee to which was referred the bill for an

"An act to change a part of the State road leading from Vandalia to Hillsboro,"

Reported said bill back with an amendment, which was read and concurred in, and

Ordered to be engrossed for a third reading; and

On motion of Mr. Craig,

The rule of the Senate was dispensed with, and

Said bill was read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Thomas, from the Committee on Canals and Canal Lands, to which was referred the bill for

"An act to provide for the sale of certain Canal Lands, and for other purposes,"

Reported said bill back with an amendment,

Which was read; and

Mr. Vance, moved to amend said amendment by striking out the 10th section, which was decided in the negative—Ayes, 7; Noes, 32.

Those voting in the affirmative, are

Messrs. Bond, Craig, Lane, Mitchell, Servant, Vance, and Wood.

Those voting in the negative, are

Messrs. Allen of Green, Allen of McLean, Borough, Browning, Butler, Edwards, Fletcher, Gatewood, Hackelton, Hacker, Hamlin, Herndon, Maxwell, McLaughlin, Mills, Moore, Murray, O'Rear, Owen, Parrish, Pruyn, Reilly, Ross, Stadden, Thomas, Turney, Warren, Weatherford, Whiteside, Wight, and Mr. Speaker.

Mr. Vance moved to amend the amendment by adding the following as an additional section, viz:

"The salary or compensation of the chief engineer upon the Canal shall not hereafter exceed the rate of three thousand dollars per annum, and the salaries of the senior assistant engineers, shall not hereafter exceed eighteen hundred dollars per annum, and the junior assistants shall not hereafter receive as a salary more than one thousand dollars per annum, and the Secretary of the board shall not hereafter be allowed more than fifteen hundred dollars per annum for his salary;"

Which was decided in the affirmative. Ayes, 21; Noes, 17.

Those voting in the affirmative, are

Messrs. Allen of Green, Allen of McLean, Bond, Craig, Gatewood, Hackelton, Lane, Maxwell, McLaughlin, Murray, O'Rear, Parrish, Reilly, Ross, Servant, Vance, Warren, Weatherford, Wight, Wood, and Mr. Speaker.

Those voting in the negative, are

Messrs. Borough, Browning, Butler, Edwards, Fletcher, Hacker, Hamlin, Mills, Mitchell, Moore, Noel, Owen, Pruyn, Stadden, Thomas, Turney, and Whiteside.

On motion of Mr. Thomas, said bill was laid upon the table.
A message from the House of Representatives, by Mr. Flood, their clerk pro tem.

Mr. SPEAKER:

The House of Representatives have passed bills, entitled
"An act to prevent disasters on Steamboats navigating the waters within the jurisdiction of Illinois;"

"An act relating to the duties of county Commissioners;"

"An act declaring a certain Road in McLean county, a State Road and for other purposes."

In the passage of which they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of the bills, entitled

"An act concerning the recording of Conveyances," and

"An act concerning conveyances."

And he withdrew.

Mr. Weatherford, from the select committee to which was referred the bill from the House of Representatives, entitled
"An act to legalize certain terms of the Circuit Court of the 7th Judicial Circuit,"

Reported said bill with an amendment, which was

Read and concurred in, and

Ordered to a third reading.

On motion of Mr. Ross, the rule of the Senate was dispensed with, and said bill was

Read a third time by its title, and passed.

On motion of Mr. Ross, the title of said bill was so amended as to make it read

"An act to increase the capital stock of certain Companies."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment of the Senate to said bill, and the title thereof.

On motion of Mr. Edwards, the bill heretofore laid on the table, entitled

"An act to incorporate the City of Alton,"

Was taken up; and

On the question of concurring with the House of Representatives, in their amendment to said bill, it was decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Allen of Green, from the select committee to which was referred the bill from the House of Representatives, for
"An act for the relief of James H. Weisner,"

Reported the same without amendment, which was

Ordered to a third reading; and

On motion of Mr. Allen of Green, the rule of the Senate was dispensed with, and said bill was

Read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

Mr. Stadden, from the select committee to which was referred the bill for

"An act for the relief of Elizabeth Hatch, and other persons,"

Reported said bill back with an amendment;

Which was read, and not concurred in.

Mr. Stadden moved to recommit said bill to a select committee.

Mr. Murray, moved to lay said bill on the table till the 4th July next; which

Was not agreed to.

The question then recurring upon recommitting said bill, it was decided in the affirmative.

Ordered, That Messrs. Stadden, Murray, and Mills, be that committee.

On motion of Mr. Edwards, the bill from the House of Representatives, entitled

"An act to incorporate the Alton Ferry Company,"

Which was heretofore laid on the table,

Was taken up; and

On motion of Mr. Edwards, amended by striking out of the 2nd section, "100," and inserting in lieu thereof "250;" and said bill was

Ordered to a third reading, as amended

On motion of Mr. Edwards, the rule of the Senate was dispensed with, and said bill was

Read a third time by its title, and passed.

Ordered, That the title of the bill be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment of the Senate thereto.

Mr. Hackelton, from the Committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles, to wit:

"An act to authorize John Green and William Stadden to build a toll bridge across Fox river;"

"An act to amend an act, entitled an act to extend the corporate powers of the town of Peoria, approved February 21st, 1837;"

"An act to amend an act to change the name of Watson James Phillely, approved 16th January, 1837;"

"An act to locate a State road in Vermilion county;"

"An act to amend the act incorporating the Kaskaskia Bridge Company;"

"An act to repeal an act in relation to schools in township thirty-nine north, and range fourteen east;"

"An act to legalize process in the Circuit Courts in this State;"

"An act to locate a state road therein named;"

"An act to locate a state road from Apanooce, in Hancock county, to the Drowning Fork of Crooked Creek, in McDonough county, and to vacate part of a state road;"

"An act to relocate a part of the state road leading from Maysville to Shelbyville;"

"An act to locate a state road from or near George R. Logan's, to Tecumseh, in White county;"

"An act to extend the corporate powers of the President and Trustees of the town of Springfield;"

"An act to vacate certain town plats;"

"An act to change a State road leading from Rushville to Carthage;"

"An act to change a part of the State road running from Vandalia to Jacksonville;"

"An act for the purposes therein named;"

"An act to establish a certain road therein named;"

"An act to change the name of the town of Centreville;"

"An act to relocate a part of a State road in Edgar county;"

"An act to establish a State road from Beardstown, in Cass county, to Petersburg, in Sangamon county;"

Mr. Hackelton from the same committee, reported that on this day they laid before the Council of Revision, the above mentioned bills.

Mr. Ross, from the select committee to which had been referred the bill from the House of Representatives, entitled

"An act changing a certain State road,"

Reported said bill back with an amendment,

Which was read and concurred in, and

Ordered to a third reading as amended; and

On motion of Mr. Ross,

The rule of the Senate was dispensed with, and
 Said bill was read a third time by its title and passed; and
 On motion of Mr. Ross,
 The title of said bill was amended by adding thereto, "in
 Pike county."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment of the Senate to said bill and the title thereof.

Mr. Servant, from the select committee to which was referred the bill for

"An act for the purposes therein named,"

Reported the same with an amendment,

Which was read.

Mr. Vance moved to amend said amendment by striking out
 "\$2000," and insert in lieu thereof "\$1500,"

Which was not agreed to; and

Said amendment was concurred in, and

Said bill as amended was

Ordered to a third reading; and

On motion of Mr. Servant,

The rule of the Senate was dispensed with, and

Said bill was read a third time by its title, and passed—Ayes
 23; Noes 10.

Those voting in the affirmative, are

Messrs. Allen of Green, Allen of McLean, Browning, Butler, Edwards, Hacker, Hamlin, Herndon, McLaughlin, Mills, Moore, O'Rear, Pruyne, Ross, Servant, Stadden, Thomas, Turney, Vance, Weatherford, Whiteside, Wight, and Mr. Speaker.

Those voting in the negative, are

Messrs. Borough, Craig, Hackelton, Lane, Maxwell, Noel, Owen, Parrish, Warren, and Wood.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

On motion of Mr. Thomas,

The bill heretofore laid on the table for

"An act to provide for the sale of certain canal lands, and other purposes,"

Was taken up, and

On motion of Mr. Servant,

The vote on the amendment to the amendment offered by Mr. Vance, was reconsidered—Ayes 20; Noes 17.

Those voting in the affirmative, are

Messrs. Borough, Browning, Butler, Edwards, Fletcher,

Hacker, Hamlin, Herndon, Mills, Mitchell, Moore, Noel, Owen, Pruyn, Servant, Stadden, Thomas, Turney, Weatherford, and Wight.

Those voting in the negative, are

Messrs. Allen of Green, Allen of McLean, Bond, Craig, Gatewood, Hackelton, Lane, Maxwell, McLaughlin, Murray, Parrish, Reilley, Ross, Vance, Warren, Wood, and Mr. Speaker.

The question then recurring on said amendment, it was decided in the negative—Ayes 17; Noes 22.

Those voting in the affirmative, are

Messrs. Allen of Green, Allen of McLean, Bond, Craig, Gatewood, Hackelton, Lane, Maxwell, McLaughlin, Murray, Parrish, Reilley, Ross, Vance, Warren, Wood, and Mr. Speaker.

Those voting in the negative, are

Messrs. Borough, Browning, Butler, Edwards, Fletcher, Hamlin, Herndon, Mills, Mitchell, Moore, Noel, O'Rear, Owen, Pruyn, Servant, Stadden, Thomas, Turney, Weatherford, Whiteside, and Wight.

The amendment of the select committee was concurred in, and said bill was

Ordered to be engrossed as amended for a third reading.

Mr. Owen, from the select committee to which was referred the bill from the House of Representatives, entitled

"An act concerning the Public Revenue,"

Reported said bill back with an amendment, which

Was read, and concurred in, and

Ordered to a third reading as amended; and

On motion of Mr. Hamlin, the rule of the Senate was dispensed with, and said bill was

Read a third time by its title, and passed.

Ordered, That the title of the bill be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment of the Senate thereto.

The engrossed bill of the following title, viz:

"An act concerning the Canal Lands,"

Was read a third time and passed.

Ordered, That the title be as aforesaid; and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The engrossed bill for

"An act to suspend proceedings under the act to establish

and maintain a general system of Internal Improvement, and for other purposes,"

Was read a third time, and passed.

On motion of Mr. Gatewood, the title of said bill was amended, so as to make it

"An act explanatory of the act to amend the several acts in relation to Common Schools, approved March 4th, 1837."

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The engrossed bill of the following title, viz:

"An act for the purposes therein mentioned," was

Read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The engrossed bill entitled

"An act to amend an act, entitled 'an act to increase the capital stock of certain Banks, &c.," was

Read a third time, and passed—Ayes, 20; Noes, 9.

Those voting in the affirmative, are

Messrs. Allen of Green, Bond, Edwards, Fletcher, Gatewood, Hackelton, Hacker, McLaughlin, Mills, Mitchell, Moore, Owen, Parrish, Pruyn, Reilley, Servant, Vance, Whiteside, Wight, and Wood.

In the negative,

Messrs. Borough, Browning, Craig, Lane, O'Rear, Ross, Turney, Weatherford, and Mr. Speaker.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The bills from the House of Representatives, entitled

"An act concerning Calvin's Slough;"

"An act authorizing the Clerks of the county Commissioners Court to list lands;"

"An act to change part of a Road therein named;" and

"An act legalizing the Incorporation of the town of Beardstown,"

Were severally read a third time, and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled

"An act for the relief of Mary Evans,"

Was read a second time, and

Ordered to a third reading.

On motion of Mr. McLaughlin, the rule of the Senate was dispensed with, and said bill was

Read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled

"An act to locate a State Road from Alton, to Elias Gwin's,"

Was read, and

Ordered to a third reading; and

On motion of Mr. Edwards, the rule of the Senate was dispensed with, and said bill

Read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled

"An act to incorporate the Caledonia Rail Road Company,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Hacker, the rule of the Senate was dispensed with, and said bill read a second time by its title, and referred to a select committee.

Ordered, That Messrs. Hacker, Gatewood, and Thomas, be that committee.

On motion the Senate adjourned till 3 o'clock, P. M.

3 O'CLOCK, P. M.

The Senate met pursuant to adjournment.

The bill from the House of Representatives, entitled

"An act in relation to the Penitentiary,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Hamlin, the rule of the Senate was dispensed with, and said bill was

Read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled
 "An act in relation to the Municipal Court of Chicago, and
 for other purposes,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Pruyn, the rule of the Senate was dispensed with, and said bill was

Read a second time by its title, and

Mr. Bond, moved to refer said bill to a select committee; and thereupon,

On motion of Mr. Pruyn, said bill was referred to the Committee on Canals and Canal Lands.

The resolution from the House of Representatives, having for its object to authorize and require that the Auditor of Public Accounts to audit and settle the accounts of the late Board of Canal Commissioners, &c.

Was read; and

On the question will the Senate concur with the House of Representatives, in the adoption of said resolution,

It was decided in the negative.

Mr. Hackelton, from the Committee on Enrolled Bills,

Reported as correctly enrolled, bills of the following titles, to wit:

"An act to incorporate the City of Alton;"

"An act to relocate a part of the State Road leading from William Crow's, in Morgan county, to Musick's Bridge, in Sangamon county;"

"An act to change the names of Thomas Jefferson Sanders and Francis Hood."

Mr. Hackelton, from the same committee afterwards reported that the aforesaid bills were, on this day laid before the Councils of Revision.

The bill from the House of Representatives, entitled

"An act to prevent disasters on Steam Boats navigating the waters within the jurisdiction of Illinois,"

Was read, and

Ordered to a second reading.

On motion of Mr. Thomas, the rule of the Senate was dispensed with, and said bill was

Read a second time by its title, and

Ordered to a third reading.

A message from the Council of Revision, by Mr. Owings, their Secretary.

MR. SPEAKER:

The bills entitled as follows, viz:

"An act concerning public works;"

"An act to amend an act, entitled an act to extend the corporate powers of the town of Peoria, approved February 21st, 1837;"

"An act forming an additional Justices District, in the county of Randolph;"

"An act to locate a State Road in Vermilion county;"

"An act to amend an act incorporating the Kaskaskia Bridge Company;"

"An act to authorize John Green and William Stadden to build a Toll Bridge across Fox River;"

"An act to locate a State Road therein named;"

"An act to legalize processes in the Circuit Courts of this State;"

"An act to incorporate the Illinois Female Institute;"

"An act to repeal an act in relation to Schools in Township twenty-nine North, Range fourteen East;"

"An act to relocate a part of the State road leading from Maysville to Shelbyville;"

"An act to extend the corporate powers of the President and Trustees of the town of Springfield;"

"An act to locate a State road from or near George R. Logan's to Tecumseh, in White county;"

"An act to locate a State road from Appanooce, in Hancock county, to the Drowning Fork of Crooked Creek, in McDonough county, and to vacate part of a State road;"

Have been approved of by the Council of Revision.

And he withdrew.

The bill from the House of Representatives, entitled

"An act relating to the duties of county commissioners,"

Was read, and

Ordered to a second reading.

The bill from the House of Representatives, entitled

"An act declaring a certain road in McLean county a State road, and for other purposes,"

Was read, and

On the question shall said bill be read a second time?

Decided in the negative.

On motion of Mr. Thomas,

Ordered, That the Secretary of the Senate cause 500 copies of the report of the Canal Commissioners, transmitted to

the present Senate, to be printed, folded, and stiched, and delivered to the Secretary of State, to be distributed among the members of the General Assembly with the laws of the present session; a sufficient number of copies to be retained by the Secretary of State, for public use, at the Seat of Government.

Mr. Hacker, from the select committee to which had been referred the bill from the House of Representatives, entitled "An act to incorporate the Caledonia Rail Road Company,"

Reported said bill back with an amendment;

Which was read and concurred in, and

Ordered to a third reading as amended.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and

Said bill was read a third time and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence in the amendment thereto.

On motion,

The Senate adjourned.

FRIDAY, July 21st, 1837.

The Senate met pursuant to adjournment.

A message from the Governor, by Mr. Field, Secretary of State.

Mr. SPEAKER:

I am directed by the Governor, to lay before the Senate a written communication.

And then he withdrew.

Mr. Thomas, from the Committee on Canals and Canal Lands, to which had been referred the bill from the House of Representatives, entitled

"An act in relation to the municipal court of Chicago, and for other purposes,"

Reported said bill back with an amendment;

Which was read, and concurred in,

Ordered to a third reading, as amended.

Ordered, That the title be as amended, and that the Secretary inform the House of Representatives thereof, and ask the concurrence of the House of Representatives in the amendment of the Senate to said bill, and to the title thereof.

Mr. Thomas, from the Committee on the Judiciary, to which was referred the bill from the House of Representatives, entitled

"An act for an act for publishing and distributing the Reports of the Supreme Court of this State,"

Reported the same back with an amendment;

Which was read, and concurred in, and

Ordered to a third reading.

On motion of Mr. Maxwell,

The rule of the Senate was dispensed with, and said bill was read a third time by its title, and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask the concurrence of the House of Representatives in the amendment of the Senate thereto.

Mr. Hackelton, from the Committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles, to wit:

"An act to change a part of a State road therein named;"

"An act legalizing the incorporation of the town of Beardstown;"

"An act to authorize the county clerks of the county commissioners' courts to list certain lands;"

"An act concerning the recording of conveyances;"

"An act concerning conveyances;"

"An act to amend an act concerning process, approved February 25th, 1837, and for other purposes;"

"An act for the relief of Mary Evans;"

"An act to locate a State road from Alton to Elias Gwinn's;"

"An act to locate a State road from East Nelson, in Shelby county, to Leroy, in McLean county."

The several bills for acts of the following titles, viz:

"An act to prohibit the circulation of Bank Notes, of a less denomination than five dollars;" and

"An act to provide for the sale of Canal Lands, and for other purposes," were

Read a third time and passed.

Ordered, That the titles of said bills be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The bills from the House of Representatives of the following titles, viz:

"An act to amend an act to incorporate the Chicago and Fox River Turnpike Road Company, approved, March 1st, 1837;"

"An act to prevent disasters on Steam Boats, navigating the waters within the jurisdiction of Illinois;" and

"An act in relation to the Penitentiary;"

Were read a third time and passed.

Ordered, That the titles be respectively as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill for

"An act relating to the duties of county Commissioners,"

Was read a third time, and

On motion of Mr. Hacker, referred to a select committee.

Ordered, That Messrs. Hacker, O'Rear, and Hackelton, be that committee.

A message from the House of Representatives, by Mr. Flood, clerk pro tem.

MR. SPEAKER:

The House of Representatives have passed bills of the following titles, viz:

"An act to incorporate the Centerville Steam Mill Company;"

"An act to prevent members of the Legislature from holding Offices under the Board of Public Works, or the Board of Canal Commissioners;"

"An act to amend an act to provide for the election of Probate Justices of the Peace;"

"An act to encourage education, in Township five South, range six East of the 3rd principal meridian;"

"An act concerning bail in criminal cases.

"An act to locate a State Road from Salem, in Marion county, to Charleston, in Coles county;"

"An act to incorporate the town of Caledonia;"

"An act to incorporate the Apple Creek Navigation Company," and

"An act relative to the building of a State House in Springfield;"

In the passage of which several bills they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of the bills, entitled

"An act further supplemental to an act to establish and maintain a general system of Internal Improvements;"

"An act for the benefit of a person therein named;"

"An act to relocate the county seat of Calhoun county."

They have also concurred with the Senate in the passage of the bills, entitled

"An act for the relief of the purchasers of canal lands and lots;"

"An act to locate a State road from Petersburg, in Sangamon county, to McComb, in McDonough county;"

"An act to locate a state road from Shelbyville in Shelby county;" and

"An act appropriating the residue of the Vermilion Saline Lands, to the counties of Iroquois and Vermilion, for the building a bridge across the Iroquois and Vermilion rivers;"

As respectively amended by them,

In which several amendments, they ask the concurrence of the Senate.

They amend the title of the third bill from the bottom, by adding the words "and for other purposes."

The title of the second, so as to make it

"An act relative to certain roads in Fayette county;" and

The title of the last mentioned bill by striking out the words "a bridge," and inserting "bridges;"

In which amendments to the titles of said bills they ask the concurrence of the Senate.

They have adopted the following resolution, viz:

Resolved by the House of Representatives, (the Senate concurring herein,) That the two Houses will meet in the Hall of the House of Representatives, this day at 4 o'clock P. M., for the purpose of electing a Judge of the Municipal Court for the City of Alton.

In the adoption of which resolution, they ask the concurrence of the Senate.

And he withdrew.

A message from the House of Representatives, by Mr. Flood, Clerk pro tem:

MR. SPEAKER:

The House of Representatives have passed bills of the following titles, viz:

"An act to locate a state road from Canton to Knoxville, and for other purposes;"

"An act for the relief of Samuel A Smallwood."

In the passage of which, they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of the bills, entitled

"An act to incorporate the town of Ottawa, and for other purposes;"

"An act to amend an act, entitled an act concerning practice in Courts of law," approved 29th of January, 1827.

They have concurred in the amendments of the Senate to the bills from the House of Representatives, entitled

"An act to locate certain roads therein named;"

"An act to incorporate the Caledonia Rail Road Company;"

"An act in relation to the Municipal Courts of Chicago."

And he withdrew.

A message from the House of Representatives, by Mr. Hogan,

Mr. SPEAKER:

The House of Representatives have concurred with the Senate in the passage of the following bills, viz:

"An act to increase the compensation to county commissioners;"

"An act in relation to certain public roads therein named;"

"An act to alter the town plat of Geneva, and for other purposes;" and

"An act for the relief of Nathaniel Pope and others."

They have concurred with the Senate in the adoption of the preamble and resolutions in relation to internal improvements, as amended by them.

In which amendments, they ask the concurrence of the Senate.

And he withdrew.

The amendment of the House of Representatives, to the bill from the Senate, for

"An act changing the terms of holding Circuit Courts in the third Judicial Circuit,"

Was read; and

On motion of Mr. Thomas,

Amended, by adding to the last section the following, viz:

"So far as relates to all the Courts herein named, except in the first Circuit, and in that Circuit shall take effect from and after the passage."

The amendments of the House of Representatives were then concurred in as amended.

Ordered, That the Secretary inform the House of Repre-

representatives thereof, and ask their concurrence in the amendment of the Senate to the amendments of the House of Representatives to said bill.

A message from the Council of Revision, by Mr. Owings, their Secretary:

MR. SPEAKER:

The Council of Revision have approved bills of the following titles, viz:

"An act concerning the recording of Conveyances;"

"An act concerning Conveyances."

And he withdrew.

The amendments of the House of Representatives to bills from the Senate, to wit:

"An act appropriating the residue of the Vermilion Saline Lands to the counties of Iroquois and Vermilion, for the building a bridge across Iroquois and Vermilion rivers;"

"Act to locate a certain State road therein named;"

"An act in relation to the duty of county Treasurers and sheriffs;"

"An act to locate a State road from Petersburg, in Sangamon county, to McComb, in McDonough county;"

"An act to locate a State road from Shelbyville, in Shelby county;"

Were severally read and concurred in.

Also the amendment of the House of Representatives to the title of the last mentioned bill,

Was read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled

"An act to locate a State road from Canton to Knoxville, and for other purposes,"

Was read; and

Ordered to a second reading; and

On motion of Mr. Hackelton;

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title; and

On motion of Mr. Butler,

The rule of the Senate was further dispensed with, and

Said bill was read a third time by its title and passed.

The bill from the House of Representatives, for

"An act for the relief of Samuel A. Smallwood,"

Was read, and

Ordered to a second reading.

On motion of Mr. Allen of McLean,

The rule of the Senate was dispensed with, and
Said bill was read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Allen of McLean,

The rule of the Senate was further dispensed with, and
Said bill was read a third time by its title and passed.

Ordered, That the titles of the foregoing bills be respectively
as aforesaid, and that the Secretary inform the House of Rep-
resentatives thereof.

On motion of Mr. Thomas,

Ordered, That the Senate do adhere to their amendments
to the bill from the Senate in relation to publishing the deci-
sions of the Supreme Court.

Ordered, That the Secretary inform the House of Represen-
tatives thereof.

The amendments of the House of Representatives to the
memorial and resolutions in relation to Internal Improve-
ments,

Were read and concurred in.

Ordered, That the Secretary inform the House of Represen-
tatives thereof.

The bill from the House of Representatives, entitled
"An act to incorporate the town of Caledonia,"

Was read, and

Ordered to a second reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and
Said bill was read a second time by its title, and

Ordered to a third reading; and

On motion of Mr. Hacker,

The rule of the Senate was further dispensed with, and
Said bill was read a third time by its title and passed.

The bill from the House of Representatives, entitled

"An act to incorporate the Centreville Steam Mill Com-
pany,"

Was read, and

Ordered to a second reading; and

On motion of Mr. Servant,

The rule of the Senate was dispensed with, and
Said bill was read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Thomas,
 The rule of the Senate was further dispensed with, and
 Said bill was read a third time by its title, and passed.
 The bill from the House of Representatives, entitled
 "An act to amend an act to provide for the election of Probate Justices of the Peace,"

Was read, and

Ordered to a second reading.

On motion of Mr. Mills,

The rule of the Senate was dispensed with, and
 Said bill was read a second time by its title, and

Ordered to a third read.

On motion of Mr. Hamlin,

The rule of the Senate was further dispensed with, and
 Said bill was read a third time by its title and passed.

The bill from the House of Representatives, entitled

"An act to encourage education in township five south, range six east, of the third principal meridian,"

Was read, and

Ordered to a second reading.

On motion of Mr. Lane,

The rule of the Senate was dispensed with, and
 Said bill was read a second time by its title, and

Ordered to a third reading; and

On motion of Mr. Lane,

The rule of the Senate was further dispensed with, and
 Said bill was read a third time by its title and passed.

The bill from the House of Representatives, entitled

"An act to locate a State road from Salem, in Marion county, to Charleston, in Coles county,"

Was read, and

Ordered to a second reading.

On motion of Mr. Bond,

The rule of the Senate was dispensed with; and
 Said bill was read a second time by its title, and

Ordered to a third reading.

On motion of Mr. Bond,

The rule of the Senate was further dispensed with, and
 Said bill was read a third time by its title and passed.

Ordered, That the titles of the foregoing bills be respectively as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bills.

The bill from the House of Representatives, entitled

"An act concerning bail in 'criminal cases,"

Was read, and

Ordered to a second reading.

On motion of Mr. Thomas,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Ordered to a third reading.

The bill from the House of Representatives, entitled

"An act to prevent members of the legislature from holding offices under the Board of Public Works, or the Board of Canal Commissioners,"

Was read, and

Ordered to a second reading.

On motion of Mr. Hacker,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title.

Mr. Thomas moved to refer said bill to the Committee on the Judiciary;

Which was decided in the negative.

And thereupon, said bill was

Ordered to a third reading.

Mr. Hacker moved that the rule of the Senate be dispensed with, and said bill be now read a second time by its title;

Which was not agreed to.

A message from the Council of Revision, by Mr. Owings, their Secretary,

MR. SPEAKER:

I am directed by the Council of Revision, to return to the Senate the bill, entitled

"An act to incorporate the City of Alton,"

With the following objections to said bill becoming a law,

viz:

The Council of Revision having had the act entitled

"An act to incorporate the City of Alton,"

Under consideration, return the same as improper to become a law, because of the peculiar provisions of the 21st section of the act. By an examination of that section, it will be seen that jurisdiction and power is conferred on the municipal court created by that act, to issue process against individuals who reside in any other, the most distant counties in the State, in such cases where process may be by the existing laws issued. By an act concerning courts of law, approved January 29, 1827, persons may be sued in the county in which

the contract or debt was contracted, or cause of action occurred; and did the present provision merely give this power, it might not be so entirely objectionable, while the provisions of the act of 1827 is in force; but its oppressive character will be better understood, when it is seen that the act provides for four terms a year, and gives the extraordinary power of increasing the terms indefinitely. From this provision it will be seen, that a citizen residing at an extreme point of the State, may be brought to the town of Alton at each and every term held, and as often as four times a year and as many more, as there might be special or increased terms if he should unfortunately be indebted to as many persons, or made as many contracts.

The injustice and inequality in the administration of the law in such cases is too apparent, it is apprehended, to need much further illustration. The resources of the debtor in such cases, would probably depend on the speedy collection of debts due to him in his immediate neighborhood, to meet his engagements due, or contracted to be paid at Alton; and under the existing laws regulating the holding of the Circuit Courts, he could only sue his debtors twice a year. This partial legislation would be unjust in the extreme to the individual thus situated; and while the means of prompt and speedy collection of debts is withheld from him, he ought not to be subject to the operation of such laws.

JOSEPH DUNCAN,
WILLIAM WILSON,
SAM'L D. LOCKWOOD,
THO'S C. BROWNE,
THEO'S. W. SMITH.

July 21st, 1837.

And he withdrew.

A message from the House of Representatives, by *Mr. Flood*, clerk pro tem.

Mr. SPEAKER:

The House of Representatives have passed the bills, entitled

"An act for a state road from Bowling Green, in Fayette county, via Ewington in Effingham, to Newton in Jasper county, and for other purposes;"

"An act to locate a state road therein mentioned;"

"An act to amend an act, entitled an act to amend an act prescribing the mode of summoning Grand and Pettit Jurors, and defining their qualifications and duties;"

In the passage of which they ask the concurrence of the Senate.

They have concurred with the Senate in the passage of the bill, for

"An act to incorporate the town of Jerseyville."

And he withdrew.

The bill from the House of Representatives, entitled

"An act to incorporate the Apple Creek Navigation Company,"

Was read; and

Ordered to a second reading.

On motion of Mr. Turney,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title; and

On motion of Mr. Allen of Green,

Amended, by adding an additional section, viz:

"The legislature hereby reserves the right to alter and amend this act, whenever the public good requires it."

Mr. Turney moved to reconsider the vote on said amendment;

Which was not agreed to.

The question then recurring upon ordering said bill to a third reading,

It was decided in the negative.

Ordered, That the Secretary inform the House of Representatives thereof.

A message from the House of Representatives, by Mr. Flood, Clerk pro tem:

MR. SPEAKER:

The House of Representatives have concurred with the Senate in the passage of the bills, entitled

"An act to change the terms of the Courts in the third Judicial Circuit;"

"An act to suspend for a limited time certain laws in relation to the Banks of this State,"

As amended by them;

In which amendment they ask the concurrence of the Senate.

They have passed a bill, entitled

"An act supplementary to an act making appropriations for the years 1837 and 1838."

In the passage of which they ask the concurrence of the Senate.

They have also concurred with the Senate in the passage of a bill, entitled

"An act to amend an act concerning Justices of the Peace and Constables," approved January 23, 1829.

And he withdrew.

The bill from the House of Representatives, entitled
"An act supplementary to an act making appropriations for the years 1837 and 1838,"

Was read, and

Ordered to a second reading.

On motion of Mr. Ross, it was

Read a second time by its title, and

On motion of Mr. Thomas, referred to the Committee on Public Accounts and Expenditures.

The amendment of the House of Representatives to the bill for

"An act to suspend for a limited time certain laws in relation to the Bank of this State,"

Was read and concurred in—Ayes, 22; Noes, 10.

Those voting in the affirmative, are

Messrs. Allen of Green, Bond, Borough, Butler, Edwards, Fletcher, Hamlin, McLaughlin, Mills, Mitchell, Moore, Murray, O'Rear, Owen, Parrish, Pruyn, Reilly, Ross, Servant, Thomas, Vance, and Wood.

Those voting in the negative, are

Messrs. Craig, Hackelton, Hacker, Herndon, Lane, Noel, Stadden, Turney, Weatherford, and Mr. Speaker.

Ordered, That the Secretary inform the House of Representatives thereof.

The amendment of the House of Representatives to

"An act for the relief of the purchasers of Canal Lands and Lots,"

Was read and concurred in;

Ordered, That the Secretary inform the House of Representatives thereof.

The bill entitled

"An act to incorporate the City of Alton,"

And the objections of the Council of Revision thereto, was taken up.

On motion of Mr. Edwards, said bill was amended as follows, amend 21st section by striking out all after the word "provided" in the ninth line, to the word "which," in the 12th line, and prefix to the word "Court," in said 12th line, the words "that the said," so as to obviate said objections. Said bill was re-passed as amended.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

The bill from the House of Representatives, entitled "An act relative to the building of a State House at Springfield,"

Was read, and

Ordered to a second reading.

On motion of Mr. Hackelton, the rule of the Senate was dispensed with, and said bill was

Read a second time by its title, and

On motion of Mr. Hacker, laid on the table.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Browning, from the joint select committee appointed under a joint resolution of the Two Houses of the present General Assembly, to enquire and report what officers, engineers, and agents, are now employed under the provisions of an act entitled "an act to establish and maintain a general system of Internal Improvements, passed 27th February, 1837;" also the names of said officers, engineers, and agents, and the particular duties assigned to each; by what authority said officers, engineers, and agents have been appointed, and the salaries at which they are respectively employed, if employed at annual salaries; or their per diem or monthly pay, if paid by the day or month; the amount of money expended under said bill; for what expended; to whom paid, and by what authority drawn from the Treasury, made the following

R E P O R T :

That the near approach of the close of the session had rendered it impossible for the committee to appropriate the time and attention which would be necessary to a full and minute investigation of the subjects to which their attention has been directed. Owing to the very recent organization of the different engineering corps, but few returns have yet been made to the Central office which could at all aid the committee in their enquiries; and they have, consequently, had to rely chiefly upon the voluntary statements and communications made

to them by Messrs. McConnell, Alexander, Kinney, and Willard, members of the board of public works. The committee are gratified at having it in their power here to state, that the gentlemen above named afforded to the committee every possible facility for the easy and prompt discharge of the duties assigned them; and that frankness, candor, and the most entire willingness to submit their official conduct to scrutiny, characterized their deportment whilst under examination by the committee before which they had voluntarily and cheerfully appeared.

It appears that the State has been divided by the board of commissioners of public works, into four internal improvement districts, for engineering purposes; each district being under the control and management of the commissioner or commissioners residing within it. Commissioners from three of these districts were before the committee; and, that the crude and succinct report now made may be as intelligible as possible, the committee will present, separately, the information which has been elicited in regard to each district. The committee, therefore, submit the following facts as the result of their examination.

The Eastern district is under the superintendence of M. K. Alexander, Esq., one of the board of commissioners of public works. He is allowed by law, five dollars per day for his services, and the committee are informed by Mr. Alexander, that he charges only for the number of days that he is actually employed, so that they are unable to say precisely what his annual compensation will be, but suppose, from the portion of his time which is necessarily employed in the service of the State, that it will amount to about, per annum,

\$1,500 00

He has in the field, under his superintendence,
two engineering corps, constituted as follows,
to wit:

A. W. Hoyt, principal engineer, at an annual salary of

\$3,000 00

R. J. Cleaveland, 1st assistant engineer,

1,500 00

——— Rycklicki, 2nd assistant engineer, compensation not fixed, but probably will not exceed

1,000 00

Two target men and cook at \$20 per month each, making for the whole, an annual pay of

720 00

R

Three axemen, two chainmen, and teamster, at \$18 per month each, making the annual compensation for the whole,	\$1,296 00
Second Corps:	
Principal engineer has not yet arrived.	
A. Bielaski, 2nd assistant engineer	1,100 00
— Williams, sub-assistant engineer, at a daily pay of \$1.32, making an annual compensation of	481 60
Two target men and cook at \$20 per month each, making an annual compensation of	720 00
Two chainmen, two axemen, and teamster, at \$18 per month, making the annual pay of the whole,	1,080 00
Making the annual pay of the persons engaged in this district, as at present organized, amount to the sum of	\$12,397 60
Mr. Alexander has received from the Fund Commissioners,	\$4,000 00
Out of which he has disbursed as follows:	
Cost of organizing the two above named parties, furnishing teams, camp equipage, office furniture, and stationery, paying for transportation of instruments, paying officers, and all other expenses, up to the 1st July, 1837, about	2,900 00
Leaving in the hands of the Commissioners an unexpended balance of about	\$1,100 00
The Southern district is under the control of Messrs. Kinney and Willard, two of the members of the board of public works, and the persons employed in said district are as follows, to wit:	
Wm. Kinney, commissioner, at \$5 per day, making an annual compensation of	\$1,825 00
E. Willard, commissioner, do do do	1,825 00
E. Smith, principal engineer, at an annual salary of	2,500 00
W. Terrell, assistant engineer,	2,000 00
E. K. Gibbon, do do	800 00
John Scheels, surveyor,	900 00

John Freeman, engineer,	2,000 00
R. A. Gilpin, assrstant engineer,	1,800 00
D. K. Lathrop, assistant engineer,	2,000 00
Six men at \$1 per day each, making an annual pay of	2,190 00
Two men at \$1.50 per day each	1,095 00
John Thomas, assistant Surveyor, for his own services, and services of Wagon and two horses, Wagoner and Cook, and boarding six persons \$9 per day, making an annual compensation of	3,285 00
James Shields, clerk,	1,000 00
One poleman, at \$20 per month,	360 00
Two chainmen and two axemen, at \$20 per month each	960 00
Making the annual compensation of the Officers, Engineers, and Agents in the Southern District under the present organization, amount to the sum of	\$24,540 00
Mr. Kinney, has received from the Fund Commissioners	\$16,500 00
Mr. Willard, has received from the Fund Commissioners	6,000 00
Making an aggregate sum paid to the Comissioners in the Southern District of	\$22,500 00
Out of which the following disbursements, as nearly as can be ascertained, have been made, to wit:	
Paid for 880 acres of land on the Alton and Shawneetown Rail Road	1,100 00
Paid for 519 89-100ths acres of land on the Alton and Mt. Carmel road	649 86
Paid for 372 98-100ths acres of Land	466 22
Paid Wm. Moore, for services in selecting land	120 00
Paid Daniel Turney, for " " "	79 00
Paid Isaac Casey, for " " "	*80 00

*The whole amount of lands entered in the Southern District for the State by the Board of Public Works, is 1,772 acres; and their estimated worth, is from five to fifteen dollars per acre, at five dollars, making \$8,860, and at ten which is the probable value, making the sum of \$17,720.

There has been paid out in this district for Tents, camp equipage, costs of organizing the different corps of Engineers, &c., and in part pay of wages &c., about

6,000 00

In consequence of the returns not yet having been made to the central office, and the commissioners not having any data with them from which they could exactly ascertain their expenditures, the above amount may not be entirely correct, but the committee believe it is not far from accuracy; and if correct it will make an aggregate sum expended in the Southern District of

8,495 08

Which being deducted would leave in the hands of the Commissioners of said district an unexpended balance of

\$14,004 92

The Western District is under the superintendence of Murray M'Connell Esq., one of the Commissioners of the Board of Public Works, and the persons engaged in said district are as follows, to wit:

Murray M'Connell, Commissioner, at \$5 per day, making an annual salary of

\$1,825 00

James Bucklin, principal Engineer at an annual salary of

3,000 00

Wm. Pollock, assistant Engineer at an annual salary of

2,000 00

Two Surveyors and two levellers at \$3 per day each, making annual pay for the whole of

4,380 00

Twenty one other persons at \$20 per month each, making an annual pay for the whole of

5,040 00

Newton Cloud clerk, annual salary

1,000 00

M. A. Chinn Engineer, (now discharged) for services performed

533 00

Cost of organizing corps, for engineering purposes, under J. Bucklin,

1,057 00

Furniture for clerks office

50 00

Making the annual aggregate cost of the two engineering parties in the Western District as at present organized

\$18,885 00

Mr. McConnell, has received from the Fund

Commissioners - - - - - \$7,000 00

But what amount of the above sum has been actually expended the committee could not ascertain, the accounts for said district being kept at Jacksonville.

The Northern District is under the management of Messrs. Wright, Peck, and Stephenson.

From this district the committee have no correct information. They have casually learned that there is one Engineering party in the field, under the direction of Mr. Wright, but cannot give the number, names, or pay of the Officers and Agents, now employed in said district.

In the Southern District 73½ miles of the Alton and Mount Carmel Rail Road have been located; and about seventy miles of the Vincennes and St. Louis mail route.

In the Western District, about 57 miles of the Mississippi and Wabash Rail Road, have been put under contract at \$8,000 per mile.

The committee present the foregoing as all the information which they have been able to procure in relation to the progress of works under the law establishing a general system of Internal Improvements. The report is certainly not as full and satisfactory as the committee desired it should be, but it embodies all the facts which they could possibly elicit in the very short time allowed them for the performance of the duties required by the resolution under which they acted.*

The resolution requires the committee to enquire into and report the number of Engineers, Agents, Superintendants and Servants of every description employed by the Commissioners of the Illinois and Michigan Canal, the amount of compensation allowed, their duties &c:

The present session of the Legislature is now on the very eve of its close, and it is, therefore, utterly impracticable for the committee to comply with the last mentioned requisitions of the resolution.

They therefore ask to be discharged from the performance of any further duty under said resolution.

*In making the estimates of the salaries and amounts paid the various Officers and persons employed, the committee have stated the annual compensation of such officers and persons employed. It is but proper however to state, that all these persons are liable to be dismissed at any time by the Commissioners, and that many of them will of course not be employed during the winter months.

Mr. Servant moved the said report be laid on the table and 1,000 copies thereof be printed for the use of the General Assembly, and a division of the question being called for,

The question was put upon laying said report on the table, and

Decided in the affirmative.

On the question of printing 1000 copies of said report,

It was decided in the negative.

On motion of Mr. Browning,

The vote heretofore taken on ordering the bill from the House of Representatives, for

"An act declaring a certain road in McLean county, a state road, and for other purposes," to a third reading,

Was reconsidered.

And thereupon,

The question recurring upon ordering said bill to a third reading,

It was decided in the affirmative; and

On motion of Mr. Allen of McLean,

Said bill was read a third time by its title; and

On motion of Mr. Allen of McLean,

Amended, by striking out all of the same after the first section, and passed as amended.

On motion of Mr. Allen of McLean,

The title of said bill was amended, by striking out the words "and for other purposes."

Ordered, That the title of said bill be as amended, and that the Secretary inform the House of Representatives of the passage of said bill and the title thereof.

Mr. Pruyne, from the Committee on Public Accounts and Expenditures, to which had been referred the bill from the House of Representatives, for

"An act supplementary to an act making appropriations for the years 1837 & 1838,"

Reported the same back with sundry amendments.

A division of the question being called for on said amendments,

The question was accordingly put upon concurring with the committee in their first amendment, proposing to allow to the Judges of the Supreme Court, mileage at the present session of the General Assembly,

And decided in the negative.

The remaining amendments of the committee, were then severally read and concurred in.

On motion of Mr. Hacker,

The said bill was further amended, by adding the following, to wit:

"To the late Secretary of the Senate the same mileage as is allowed to members of the General Assembly."

On motion of Mr. Bond,

The said bill was further amended, by striking out so much thereof as makes an appropriation of \$600 to William Walters.—Ayes 19. Noes 13.

Those voting in the affirmative, are

Messrs. Allen of McLean, Bond, Browning, Butler, Craig, Edwards, Hacker, Hamlin, Herndon, Lane, Mills, Moore, O'Rear, Owen, Ross, Servant, Thomas, Vance and Mr. Speaker.

In the negative,

Messrs. Allen of Green, Borough, Hackelton, McLaughlin, Mitchell, Noel, Parrish, Reilley, Stadden, Turney, Weatherford, and Wood.

Mr. Reilley, moved further to amend said bill by adding thereto the following, viz: [*No amendment on the Journal.*]

Which was not agreed to.

On motion of Mr. Thomas,

The said bill was further amended, by adding the following section thereto, to wit:

"The Auditor and Treasurer are authorised to cause the Cupola on the State House to be weatherboarded and covered to secure the building from injury, the cost of which shall be paid out of the thousand dollars appropriated at the last session of the General Assembly, to the finishing of the lower rooms of the State House."

Mr. Craig moved further to amend said bill, by striking out \$2 00 as the per diem allowance of Jarvis Forehand, and inserting \$3 00 in lieu thereof;

Which was not agreed to.

Ordered, That the bill be read a third time as amended; and

On motion of Mr. Ross,

The rule of the Senate was dispensed with, and

Said bill was now read a third time by its title, and passed as amended.

Ordered, That the title of the bill be as aforesaid, and that the Secretary inform the House of Representatives of the passage of said bill, and ask their concurrence in the amendments of the Senate thereto.

Mr. Hacker, from the select committee to which had been referred the resolutions in relation to the Public Printer,

Reported the same back without amendment.

Read and concurred in.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Mr. Hackelton, from the Committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles, viz:

"An act in relation to the Penitentiary,"

"An act to amend an act to provide for the election of Probate Justices of the Peace;"

"An act to amend an act to incorporate the Chicago and Fox River Turnpike Road Company, approved March 1st, 1837;"

"An act to locate a State Road from Salem, in Marion county, to Charleston, in Coles county;"

"An act to incorporate the Centerville Steam Mill Company;"

"An act to encourage education, in Township five South, range six East of the 3rd principal meridian;"

"An act to incorporate the Caledonia Rail Road Company;"

"An act to incorporate the town of Ottawa, and for other purposes;"

"An act to alter the town plat of Geneva, and for other purposes;" and

"An act to incorporate the town of Jerseyville."

Mr. Hackelton, from the same committee afterwards reported that the said bills were, on this day, laid before the Council of Revision.

On motion the Senate adjourned till 3 o'clock, P. M.

3 o'clock, P. M.

The Senate met pursuant to adjournment.

A message from the House of Representatives, by Mr. Flood, Clerk pro tem:

MR. SPEAKER:

The House of Representatives refuse to read a third time, the bill from the Senate, entitled

"An act declaring what shall be evidence in certain cases," approved 10 January, 1837.

They have concurred with the Senate in their amendments to the bills from the House of Representatives of the following titles, viz:

"An act concerning a State road in Edwards county;" and

"An act to amend an act entitled an act to incorporate the town of Carlinville, approved March 4th, 1837;"

"An act in relation to the county of Cass;"

"An act concerning the public revenue;"

"Act to incorporate the Alton Ferry Company;" and

"An act concerning Calvin's Slough."

They have concurred with the Senate in their amendments to the bill from the Senate, entitled

"An act to incorporate the city of Alton," to obviate the objections of the Council of Revision.

They refuse to concur with the amendments of the Senate to the bill from the House of Representatives, entitled

"An act to legalize certain terms of the Circuit Courts in the Seventh Judicial Circuit."

They have concurred with the Senate in the passage of bills, of the following titles, viz:

"An act to change a part of a State road leading from Vandalia to Hillsborough;"

"An act explanatory of the act to amend the several acts in relation to Common Schools, approved March 4th, 1837;"

"An act supplementary to an act to increase the capital stock of certain Banks, and to furnish means to pay the interest on a loan authorized by an act entitled "An act to establish and maintain a general system of internal improvement," approved March 4th, 1837;"

"An act for the purposes therein named;"

"An act to provide for the sale of certain canal lands, and for other purposes."

They have laid on the table, bills from the Senate, of the following titles, viz:

"An act for the purposes therein named;" and

"An act concerning the canal lands."

And he withdrew.

The bill from the House of Representatives, entitled,

"An act for a State road from Bowlinggreen, in Fayette county, via Ewington, in Effingham, to Newton, in Jasper county, and for other purposes,"

Was read, and

Ordered to a second reading.

On motion of Mr. McLaughlin,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title and

Ordered to a third reading.

On motion of Mr. McLaughlin,

The rule of the Senate was further dispensed with, and

Said bill was read a third time by its title and passed.

Ordered, That the title be as aforesaid, and that the Secretary inform the House of Representatives thereof.

The bill from the House of Representatives, entitled

"An act to amend an act, entitled an act to amend an act prescribing the mode of summoning grand and petit jurors, and defining their qualifications and duties,"

Was read, and

Ordered to a second reading.

The bill from the House of Representatives, entitled

"An act to locate a state road therein mentioned,"

Was read, and

Ordered to a second reading.

On motion of Mr. Fletcher,

The rule of the Senate was dispensed with, and

Said bill was read a second time by its title, and

Ordered to a third reading.

Mr. Hackelton, from the Committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles, to wit:

"An act in relation to the Municipal Court of Chicago;"

"An act to incorporate the town of Caledonia;"

"An act to locate certain roads therein named;"

"An act to prevent disasters on Steam Boats navigating the waters within the jurisdiction of Illinois;"

"An act to amend an act to incorporate the town of Carlinville," approved March 4th, 1837;

"An act for the relief of purchasers of canal lands and lots;"

"An act concerning the public records;"

"An act concerning a state road in Edwards county."

And,

Mr. Hackelton, from the same committee, afterwards reported that the aforesaid bills were, on this day, laid before the Council of Revision.

Mr. Speaker announced that a communication this day received from the Governor, was on Executive business;

And thereupon,

The doors were closed; and on opening the doors,

Mr. Weatherford moved the adoption of the following resolution, viz:

Resolved, That there shall be only five hundred copies of the Journals of each House of the present session of the General Assembly, and two thousand copies of the Laws passed at the present session, printed and distributed as heretofore required;

Which was read; and

On motion of Mr. Stadden,

The rule of the Senate was dispensed with, and

The question on the adoption of said resolution, was

Decided in the affirmative.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

On motion of Mr. McLaughlin,

The bill from the House of Representatives, entitled

"An act in relation to the building of a State House at Springfield,"

Heretofore laid on the table,

Was taken up; and

Mr. Thomas moved to refer said bill to the Committee on Finance; which was not agreed to.

And said bill was ordered to a third reading.

Mr. McLaughlin moved to read said bill a third time;

Which was not agreed to.

A message from the House of Representatives, by Mr. Flood, Clerk pro tem:

Mr. SPEAKER:

The House of Representatives have concurred with the Senate, in the passage of the bill from the Senate, of the following title, viz:

"An act to prohibit the circulation of Bank Notes of a less denomination than five dollars."

They have concurred with the Senate in the amendments of the Senate, to the bill from the House of Representatives, of the following title, viz:

"An act changing a certain state road."

They have also concurred with the Senate in their amendment to the title of said bill.

They refuse to read a third time the bill from the Senate, entitled

"An act to amend an act declaring what shall be evidence in certain cases," approved 10th January, 1827.

And he withdrew.

On motion of Mr. Thomas,

The Senate adhered to their amendments to the bill from the House of Representatives, entitled

"An act to legalize certain terms of the Circuit Court in the seventh Judicial Circuit."

Ordered, That the Secretary inform the House of Representatives thereof.

The following resolution from the House of Representatives, viz:

Resolved by the House of Representatives, (the Senate concurring herein,) That the two Houses will meet in the Hall of the House of Representatives this day at 4 o'clock P. M., for the purpose of electing a Judge of the Municipal Court of the City of Alton,

Was read, and

On motion of Mr. Edwards,

Said resolution was amended, by striking out "4," and inserting in lieu thereof "6."

And said resolution was adopted as amended.

Ordered, That the Secretary inform the House of Representatives thereof, and ask their concurrence to the amendment of the Senate thereto.

A message from the House of Representatives, by Mr. Flood, Clerk pro tem:

MR. SPEAKER:

The House of Representatives have concurred with the Senate in their amendments to the bill for

"An act supplemental to an act making appropriations for the years 1837 and 1838,"

As amended by them;

In which amendment they ask the concurrence of the Senate.

They have also concurred with the Senate in their amendments to the amendments of the House of Representatives, of the bill from the Senate, entitled

"An act to change the terms in the third Judicial Circuit."

And he withdrew.

The amendment of the House of Representatives to the amendment of the Senate, to the bill for

"An act supplemental to an act making appropriations for the years 1837 and 1838,"

Was read and concurred in.—Ayes 21; Noes 11.

Those voting in the affirmative, are

Messrs. Allen of Green, Borough, Butler, Craig, Fletcher, Gatewood, Hackelton, Hacker, McLaughlin, Mitchell, Noel, Owen, Parrish, Pruyne, Reilley, Ross, Turney, Vance, Weatherford, Whiteside, and Wood.

Those voting in the negative, are

Messrs. Allen of McLean, Browning, Edwards, Herndon, Lane, Mills, Moore, Murray, O'Rear, Thomas, and Mr. Speaker.

Ordered, That the Secretary inform the House of Representatives thereof.

Mr. Hackelton, from the Committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles, viz:

"An act to relocate the county seat of Calhoun county;"

"An act for the benefit of the person therein named;"

"An act concerning Calvin's Slough;"

"An act to provide for the sale of certain canal lands, and for other purposes;"

"An act to incorporate the Alton Ferry Company;"

"An act to locate certain state roads therein named;"

"An act further supplemental to an act to establish and maintain a General System of Internal Improvements;"

"An act to increase the compensation of county commissioners;"

"An act to prohibit the circulation of Bank Notes of a less denomination than five dollars;"

"An act to suspend for a limited time certain laws in relation to the Banks in this State;"

"An act for the benefit of Nathaniel Pope and others;"

"An act to increase the capital stock of certain companies."

Mr. Hackelton, from the same committee, afterwards reported said bills had, on this day, been laid before the Council of Revision.

A message from the House of Representatives, by Mr. Flood, clerk pro tem.

MR. SPEAKER:

The House of Representatives have concurred with the Senate in their amendment to the bill, entitled

"An act declaring a road in McLean county, a state road, and for other purposes."

They have also concurred with the Senate in their amendment to the title of said bill.

They have also concurred with the Senate in the passage of a bill from the Senate, for

"An act for the benefit of Vesty Adaline Maftin."

They refuse to recede from their vote of non-concurrence to the amendment of the Senate to the bill from the House of Representatives, entitled

"An act for publishing the reports of the Supreme Court of this State."

They ask for the appointment of a Committee of Conference on said disagreeing vote, and have appointed

Messrs. Dougherty, Paullen, and Wyatt, the committee on their part.

They have concurred with the Senate in the passage of the bill, entitled

"An act to relocate a state road leading from Shelbyville to Springfield."

And he withdrew.

On motion,

The Senate adjourned till 6 o'clock.

6 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Hackelton, from the committee on enrolled bills, reported as correctly enrolled bills of the following titles, to wit:

"An act for the purposes therein mentioned;"

"An act to amend an act, entitled an act concerning Justices of the Peace and Constables, approved February 13th, 1827, approved January 23rd, 1829;"

"An act supplemental to an act to increase the capital stock of certain Banks, and to furnish means to pay the interest on a loan authorized by an act, entitled an act to establish and

maintain a general system of Internal Improvements, approved March 4th, 1837;"

"An act explanatory of the act in relation to Common Schools, approved March 4th, 1837;"

"An act in relation to the Penitentiary;"

Memorial and Resolutions in relation to Internal Improvements;

"An act in relation the county of Cass;"

"An act to authorize the clerks of the county Commissioners Courts, to list certain Lands;"

"An act to change part of the Road therein named;"

"An act to change a certain State Road in Pike county;"

"An act making appropriations for the years 1837-38."

Mr. Hackelton, from the same committee, afterwards reported that said bills were on this day laid before the Council of Revision.

Mr. McLaughlin moved that the rule of the Senate be dispensed with, and that the bill from the House of Representatives, relative to the building of a State House at Springfield, be now read a third time by its title,

Which was decided in the negative.—Ayes, 14; Noes 16.

Those voting the affirmative, are

Messrs. Butler, Craig, Hackelton, Lane, McLaughlin, Mills, Moore, Owen, Parrish, Reilley, Stadden, Vance, Weatherford, and Wood.

In the negative,

Messrs. Allen of Green, Allen of McLean, Borough, Browning, Edwards, Fletcher, Hacker, Herndon, Noel, Pruyne, Servant, Thomas, Turney, Warren, Wight, and Mr. Speker.

A message from the House of Representatives, by Mr. Flood.

MR. SPEAKER:

The House of Representatives have adopted the following resolution, viz:

Resolved, By the General Assembly that three thousand copies of the Laws of the present session of the General Assembly; and two thousand copies of the Journals of each House, shall be printed by the State Printer, and he is hereby required to print the same. In the adoption of which they ask the concurrence of the Senate.

They have receded from their vote of nonconcurrence to the amendments of the Senate, to the bill from the House of Representatives, entitled

"An act to legalize certain terms of the Circuit Court in the Seventh Judicial Circuit.

They have concurred with the Sdnate in the adoption of the resolution in relation to an allowance of the Public Printer, &c. &c.

They have also concurred with the Senate in their amendments to the resolution from the House of Representatives, relative to the election of a Judge of the Municipal Court of the City of Alton this evening; and

Are now ready recieve them in the Hall of the House of Representafives for the purpose of going into said election—in pursuance to said resolution.

And he withdrew.

Whereupon,

The Senate, preceded by their Speaker, repaired to the Representatives' Hall, and there both Houses proceeded by joint ballot, to elect a Municipal Judge for the city,

When,

Mr. Browning of the Senate, and Mr. English, of the House of Representatives, were appointed tellers;

And the votes being counted, stood thus:

For William Martin, seventy-five,

Scattering, eighteen.

Mr. Martin having received a majority of all the votes given, was declared by the Speaker of the House of Representatives, duly elected municipal Judge of the city for Alton.

And thereupon,

The Honorable the Senate returned to their chamber;

When,

Mr. Hackelton, from the Committee on Enrolled Bills, reported as correctly enrolled, bills of the following titles, viz:

"An act for the relief of Samuel A. Smallwood;"

"An act to amend ~~an~~ act to incorporate the Chicago and Fox River Turnpike Road Company, approved March 1st, 1837;"

"An act to locate certain roads therein named;"

"An act for a State road from Bowlinggreen, in Fayette county, via Ewington, in Effingham county, to Newton, in Jasper county, and for other purposes;"

"An act to locate a State road from Canton to Knoxville, and for other purposes;"

"An act legalizing the incorporation of the town of Beardstown;"

"An act declaring a certain road in McLean county a State road."

And Mr. Hackelton, from the same committee, afterwards reported that said bills were on this day laid before the Council of Revision.

On motion,

The Senate adjourned.

SATURDAY, July 22, 1837.

The Senate met pursuant to adjournment.

On motion,

The reading of the Journals was dispensed with.

Mr. Hackelton, from the Committee on Enrolled Bills reported as correctly enrolled, bills of the following titles:

"An act appropriating the residue of the Vermilion Saline Lands, in the counties of Iroquois and Vermilion, for the building of bridges across the Iroquois and Vermilion rivers;"

"An act relating to the duty of county treasurers and sheriffs;"

"An act to amend an act entitled an act concerning practice in courts of law, approved 29th January, 1827;"

"An act to locate a State road from Petersburg, in Sangamon county, to McComb, in McDonough county, and for other purposes;"

"An act relating to certain roads in Fayette county."

Mr. Hackelton, from said committee, reported that on this day they laid before the Council of Revision the bills above mentioned.

A message from the House of Representatives, by Mr. Flood, Clerk pro tem.

MR. SPEAKER:

I am directed to inform the Senate that the House of Representatives have finished their legislative business, and are now ready to adjourn *sine die*.

A message from the Council of Revision, by Mr. Owings, their Secretary.

T.

Mr. SPEAKER:

The bills entitled as follows, viz:

"An act for the relief of purchasers of canal lands and lots;"

"An act to incorporate the town of Ottawa, and for other purposes;"

"An act to alter the town plat of Geneva, and for other purposes;"

"An act to incorporate the town of Jerseyville;"

"An act further supplemental to an act to establish and maintain a general system of internal improvements;"

"An act to provide for the sale of certain canal lands, and for other purposes;"

"An act to increase the compensation of county commissioners;"

"An act for the relief of Nathaniel Pope and others;"

"An act to locate certain State roads therein named;"

"An act to amend an act entitled an act to amend an act concerning Justices of the Peace and constables, approved February 13th, 1827; approved January 23d, 1829;"

"An act for the purposes therein mentioned;"

"An act in relation to certain public roads therein named;"

"An act explanatory of the act to amend the several acts in relation to Common Schools, approved March 4th, 1837;"

"An act relative to certain roads in Fayette and Shelby counties;"

"An act to relocate the county seat of Calhoun county;"

"An act to suspend, for a limited time, certain laws in relation to the Banks in this State;"

"An act to locate a State road from Petersburg, in Sangamon county, to McComb, in McDonough county, and for other purposes."

"An act to amend the act entitled an act concerning practice in the courts of law, approved 29th January, 1837;"

"An act appropriating the residue of the Vermilion Saline Lands to the counties of Iroquois and Vermilion, for the building of bridges across the Iroquois and Vermilion rivers."

The Secretary having informed the House that the Senate was ready to adjourn *sine die*, in pursuance of said resolution.

On motion,

The Senate adjourned *sine die*.

WILLIAM H. DAVIDSON,

Speaker of the Senate,

WILLIAM PRENTISS,

Secretary of the Senate.



